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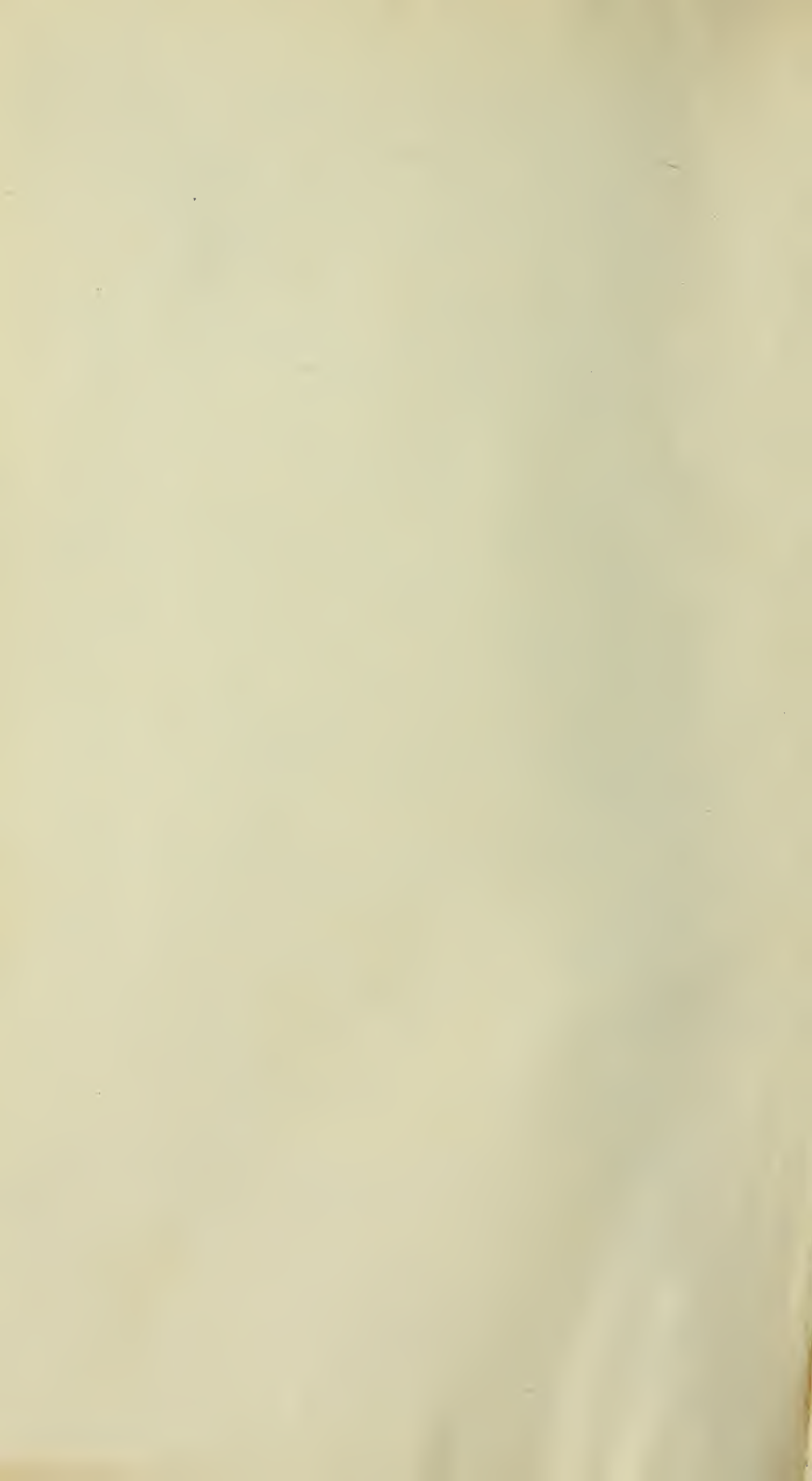
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JOURNAL
OF THE
ASSEMBLY

OF THE
STATE OF NEW YORK

AT THEIR
ONE HUNDRED AND TWENTY-FIRST SESSION.

VOLUME III.



WYNKOOP HALLENBECK CRAWFORD CO.,
STATE PRINTERS,
NEW YORK AND ALBANY,
1898.

MARCH 23.]

1977

{ AYES 112 }
{ NOES 00 }

V. 3

Those who voted in the affirmative, were

Ackert	DeGraw	Hill	Miller	Smith E LaG
Addis	Delaney	Hoes	Mitchell	Stedman
Adler	Dillon	Hoffman	Mohring	Stoneman
Allds	Donnelly	Holbert	Mullany	Streifler
Armstrong	Dutton	Hubbard	Murphy	Sullivan
Baker	Egan	Hutton	Pierce	Taylor
Boland	Eldridge	Ives	Post	Ten Eyck
Bondy	Ellis	Laimbeer	Raplee	Tiffany
Brennan E C	Evarts	Litchard	Redington	Tompkins
Brennen J F	Farrell	Lowenthal	Reisert	Trainor
Brewster	Finn	Mahar	Rocke	Tripp
Brown	Fish	Maloney	Russell	Van Hoesen
Burr	Fitzgerald	Marshall	Sage	Van Rens'aer
Cain	Green	Martin	Sanford	Vincent
Chanler	Greenwood	Mason	Schmid A F	Vroman
Clark A L	Griggs	Matteson	Schmid F	Weill
Clark C J	Guider	McEwan	Schultz	Whipple
Cowles	Hachemeis'r	McGuire	Seligsburg	Wicke
Crabtree	Haight	McKeown	Shoeneck	Williams
Cross	Hanna	McLaughlin	Simmons	Witter
Cullen	Harburger	Meyer G W	Sinsheimer	Wright
Dale	Hatch	Miles	Sloan	Zimmerman
Davis	Hays			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1213), entitled "An act to consolidate into one corporation the various bodies that have heretofore owned and managed the existing cemetery in Cuba village, Allegany county, New York, and to define its powers, privileges and property" (Int. No. 996), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

[ASSEM. JOURNAL.]

248

272735

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Eldridge	Hubbard	Meyer G W	Sears
Addis	Ellis	Hutton	Nixon	Seligsberg
Adler	Evarts	Ives	O'Connor	Sloan
Allds	Farrell	Johnson	Oliver	Smith E La G
Armstrong	Gallagher	Kavanaugh	Palmer	Stedman
Axtell	Gibney	Kelsey	Paris	Stoneman
Baker	Glaser	Kullman	Patton	Streifler
Boland	Goodsell	Laimbeer	Perkins	Tompkins
Bondy	Graney	Litchard	Peterson	Vincent
Brennan E C	Green	Lowenthal	Phillips	Tremper
Brennen J F	Greenwood	Mahar	Pickett	Tripp
Brewster	Griggs	Maloney	Pierce	Van Hoesen
Dale	Guider	Marshall	Roche	Van Rens'aer
Davis	Hachemeis'r	Martin	Russell	Vincent
DeGraw	Haight	Mason	Sage	Vroman
Delaney	Hanna	Matteson	Sanford	Wallace
Dillon	Harburger	McEwan	Schmid A F	Williams
Donnelly	Hatch	McGuire	Schmid F	Witter
Dutton	Hays	McKeown	Schultz	Wright
Egan	Holbert	McLaughlin	Schulum	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1359) entitled "An act making an appropriation additional to that made by chapter 570 of the Laws of 1897, for the construction of a foot bridge over the Champlain canal in the town of Waterford, Saratoga county" (Int. No. 1080), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Ellis	Hubbard	Mitchell	Shoeneck
Addis	Evarts	Hutton	Mohring	Simmons
Adler	Farrell	Ives	Mullany	Sinsheimer

Allds	Finn	Johnson	Murphy	Sloan
Armstrong	Fish	Kavanaugh	Murray	Smith E LaG
Axtell	Fitzgerald	Kelly	Myers J C	Streifler
Baker	Fordyce	Kelsey	Nixon	Sullivan
Boland	Fritz	Kullman	O'Connor	Taylor
Bondy	Fuller	Laimbeer	Oliver	Ten Eyck
Brennan E C	Gale	Litchard	Palmer	Tiffany
Brennen J F	Gallagher	Lowenthal	Paris	Tompkins
Brewster	Gibney	Mahar	Patton	Tripp
Dale	Haight	Maloney	Perkins	Van Hoesen
Davis	Hanna	Marshall	Peterson	Van Rens'aer
DeGraw	Harburger	Martin	Phillips	Vincent
Delaney	Hatch	Mason	Pickett	Vroman
Dillon	Hays	Matteson	Pierce	Wallace
Donnelly	Hill	McEwan	Post	We kes
Dutton	Hoes	McGuire	Raplee	Witter
Egan	Hoffman	McKeown	Schultz	Wright
Eldridge	Holbert	McLaughlin	Seligberg	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Assembly bill (No. 1552) entitled "An act to confirm and legalize certain taxes heretofore levied, or attempted to be levied, in that portion of The City of New York formerly constituting the city of Brooklyn, and in relation to the payment of the same" (Int. No. 1190), having been announced for a third reading,

On motion of Mr. McKeown, said bill was laid aside, retaining its place in the order of third reading.

The bill (No. 1551) entitled "An act in relation to the construction, maintenance and operation of railroads upon Ashland place, in the borough of Brooklyn, in The City of New York" (Int. No. 1189), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hubbard	Miller	Stedman
Addis	Eldridge	Hutton	Mitchell	Stoneman
Adler	Ellis	Kavanaugh	Mohring	Streifler
Allds	Evarts	Kelly	Mullany	Sullivan
Armstrong	Farrell	Kelsey	Murphy	Taylor
Axtell	Finn	Kullman	Murray	Ten Eyck
Baker	Fish	Laimbeer	Nixon	Tiffany
Brennan EC	Fitzgerald	Litchard	O'Connor	Tompkins
Brennen J F	Fordyce	Lowenthal	Oliver	Trainor
Brewster	Greenwood	Mahar	Palmer	Tremper
Brown	Griggs	Maloney	Paris	Tripp
Burr	Guider	Marshall	Patton	Van Hoesen
Cain	Hachemeis'r	Martin	Perkins	Van Rens'aer
Chanler	Haight	Mason	Peterson	Vincent
Clarke A L	Hanna	Matteson	Schultz	Vroman
Clark C J	Harburger	McEwan	Seligsberg	Wallace
Collins	Hatch	McGuire	Shoeneck	Weekes
Costello	Hays	McKeown	Simmons	Witter
Cottle	Hill	McLaughlin	Sinsheimer	Wright
Coughtry	Hoes	Meyer G W	Sloan	Zimmerman
Dutton	Hoffman	Miles	Smith E LaG	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1533) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn, and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to setting apart piers for recreation" (Int. No. 1171), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { NOES 60 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hoffman	Mullany	Simmons
Addis	DeLaney	Hutton	Murphy	Sloan
Adler	Dillon	Ives	Myers J C	Smith E LaG
Allds	Donnelly	Johnson	O'Connor	Stoneman
Axtell	Dutton	Kavanaugh	Oliver	Streifler
Boland	Egan	Kelsey	Palmer	Taylor
Bondy	Eldridge	Laimbeer	Patton	TenEyck
Brennan E C	Ellis	Litchard	Peterson	Tiffany
Brennen J F	Fitzgerald	Lowenthal	Pickett	Trainor
Brown	Fordyce	Mahar	Post	Tremper
Burr	Fuller	Maloney	Reddington	Van Hoesen
Chanler	Gale	Martin	Reisert	Van Rens'aer
Clark A L	Gibney	Mason	Roche	Vincent
Clark C J	Glaser	Matteson	Russell	Vroman
Cottle	Goodsell	McGuire	Schmid A F	Wallace
Cowles	Graney	McKeown	Schmid F	Weekes
Crabtree	Green	McLaughlin	Schultz	Weill
Cullen	Harburger	Miles	Schulum	Whipple
Dale	Hatch	Miller	Sears	Williams
Davis	Hill	Mohring	Seligberg	Wright

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1558) entitled "An act to provide for the payment of compensation to Rufus G. Beardslee for services as counsel to the board of education of The City of New York, and authorizing the board of estimate and apportionment of The City of New York to audit and allow the amount that may be justly due" (Int. No. 1196) was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Holbert	Murray	Sinsheimer
Adler	Eldridge	Hubbard	Nixon	Smith E LaG
Allds	Evarts	Ives	Oliver	Stedman
Armstrong	Farrell	Johnson	Palmer	Stoneman
Baker	Fish	Kelly	Patton	Streifler
Boland	Fitzgerald	Kelsey	Perkins	Sullivan
Brennan E C	Fritz	Laimbeer	Phillips	TenEyck
Brewster	Fuller	Lowenthal	Pierce	Tompkins
Brown	Gale	Mahar	Post	Trainor
Cain	Gallagher	Maloney	Raplee	Tripp
Clark A L	Glaser	Martin	Reisert	Van Rens'aer
Collins	Goodsell	Mason	Roche	Vroman
Costello	Green	McEwan	Sage	Weekes
Coughtry	Greenwood	McKeown	Sanford	Whipple
Cowles	Guider	Meyer G W	Schmid A F	Wicke
Cross	Haight	Miller	Schulum	Williams
Cullen	Hanna	Mitchell	Sears	Witter
Davis	Hatch	Mullany	Shoeneck	Wright
Delaney	Hill	Murphy	Simmons	Zimmerman
Dillon	Hoes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1109) entitled "An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of constructing a steel girder bridge, abutments and necessary approaches over the Erie canal at the foot of Westcott street, in the city of Syracuse" (Int. No. 924), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hays	Mitchell	Schulum
Addis	Donnelly	Hill	Mohring	Sears
Adler	Dutton	Hoes	Mullany	Seligsbarg

Armstrong	Egan	Holbert	Murphy	Schultz
Axtell	Eldridge	Hutton	Murray	Sinsheimer
Boland	Farrell	Johnson	Myers J C	Smith E La G
Bondy	Finn	Kelly	Nixon	Stedman
Brennen J F	Fish	Kelsey	Oliver	Streifler
Brewster	Fitzgerald	Laimbeer	Palmer	Taylor
Burr	Fuller	Ellis	Paris	Tiffany
Chanler	Gale	Litchard	Perkins	Tompkins
Clark A L	Gibney	Lowenthal	Phillips	Trainor
Collins	Glaser	Mahar	Pickett	Van Hoesen
Costello	Graney	Maloney	Post	Van Rens'aer
Cottle	Green	Mason	Raplee	Vincent
Crabtree	Griggs	McEwan	Redington	Wallace
Cross	Guider	McKeown	Roche	Weill
Cullen	Haight	McLaughlin	Sage	Wicke
Davis	Harburger	Meyer G W	Sanford	Witter
DeGraw	Hatch	Miles	Schmid F	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1108), entitled "An act to amend section 310 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to park police" (Int. No. 923), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 102 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hays	Mitchell	Sloan
Addis	Dillon	Hoes	Mullany	Smith E La G
Adler	Dutton	Hoffman	Murphy	Stedman
Allds	Egan	Hubbard	Myers J C	Stoneman
Armstrong	Eldridge	Hutton	O'Connor	Streifler
Axtell	Ellis	Johnson	Palmer	Taylor
Bondy	Farrell	Kavanaugh	Paris	Ten Eyck
Brennen J F	Fish	Kelly	Perkins	Tompkins
Brewster	Fitzgerald	Kelsey	Peterson	Trainor

Burr	Fritz	Laimbeer	Pickett	Tremper
Cain	Fuller	Litchard	Post	Van Hoesen
Clark A L	Gale	Lowenthal	Raplee	Vincent
Clark C J	Gibney	Mahar	Reisert	Wallace
Costello	Glaser	Maloney	Russell	Weekes
Cottle	Goodsell	Martin	Sanford	Weill
Cowles	Green	Matteson	Schmid A F	Whipple
Crabtree	Greenwood	McEwan	Schultz	Wicke
Cross	Guider	McGuire	Schulum	Williams
Cullen	Haight	McLaughlin	Seligberg	Witter
Dale	Harburger	Miles	Simmons	Wright
Davis	Hatch			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 630) entitled "An act to amend chapter 764 of the Laws of 1894, entitled 'An act to enable the towns and cities of this State to use the Myers Automatic Ballot Machine at all elections therein,' as amended by chapter 73 of the Laws of 1895; and to amend chapter 765 of the Laws of 1894, entitled 'An act to secure independence of voters at town meetings, secrecy of the ballot, and providing for the use of automatic ballot cabinets,' as amended by chapter 158 of the Laws of 1895; and to repeal section 4 of chapter 450 of the Laws of 1897, entitled 'An act relating to the use of voting machines'" (Rec. No: 161), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Holbert	Mohring	Seligberg
Addis	Dillon	Hubbard	Mullany	Simmons
Adler	Dutton	Hutton	Murphy	Sloan
Allds	Eldridge	Ives	Myers J C	Smith E LaG
Armstrong	Evarts	Johnson	Nixon	Stedman
Baker	Farrell	Kavanaugh	O'Connor	Stoneman

Boland	Finn	Kelly	Oliver	Sullivan
Brennan E C	Fitzgerald	Kelsey	Paris	Taylor
Brennen J F	Fordyce	Kullman	Patton	Tiffany
Brewster	Fuller	Laimbeer	Peterson	Tompkins
Brown	Gale	Litchard	Phillips	Tremper
Cain	Gibney	Lowenthal	Pickett	Tripp
Chanler	Glaser	Mahar	Post	Van Hoesen
Clark C J	Green	Maloney	Raplee	Vincent
Collins	Greenwood	Marshall	Redington	Vroman
Costello	Griggs	Mason	Reisert	Weekes
Coughtry	Hachemeis'r	McGuire	Roche	Weill
Cowles	Hanna	McKeown	Sage	Whipple
Crabtree	Harburger	McLaughlin	Sanford	Wicke
Cross	Hatch	Meyer G W	Schmid F A	Williams
Cullen	Hays	Miles	Schmid F	Witter
Davis	Hoes	Miller	Schultz	Wright
DeGraw	Hoffman	Mitchell	Sears	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 629) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' and the several acts amendatory thereof" (Rec. No. 172), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Haight	McKeown	Schmid F
Addis	Delaney	Hanna	Meyer G W	Sears
Adler	Dillon	Harburger	Miller	Seligsberg
Allds	Donnelly	Hatch	Mitchell	Simmons
Armstrong	Dutton	Hill	Mohring	Sinsheimer
Axtell	Eldridge	Hoes	Murphy	Smith E LaG
Boland	Ellis	Hoffman	Murray	Stedman
Bondy	Evarts	Holbert	Myers J C	Stoneman

Brennan E C	Finn	Hubbard	O'Connor	Streifler
Brennen J F	Fish	Ives	Oliver	Sullivan
Brewster	Fitzgerald	Johnson	Paris	Taylor
Brown	Fordyce	Kavanaugh	Patton	Ten Eyck
Burr	Fritz	Kelly	Perkins	Tompkins
Cain	Fuller	Kelsey	Peterson	Trainor
Clark A L	Gale	Laimbeer	Pickett	Tripp
Clark C J	Gallagher	Litchard	Pierce	Van Rens'aer
Collins	Glaser	Mahar	Post	Vincent
Costello	Goodsell	Maloney	Redington	Vroman
Coughtry	Graney	Marshall	Reisert	Weekes
Cowles	Green	Martin	Roche	Whipple
Crabtree	Greenwood	Mason	Sage	Wicke
Cross	Guider	McEwan	Sanford	Witter
Cullen	Hachemeis'r	McGuire	Schmid A F	Wright
Dale				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 693) entitled "An act to amend chapter 166 of the Laws of 1895, entitled 'An act to incorporate the trustees of scenic and historic places and objects and to provide for the care of certain property of the State'" (Rec. No. 201), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Johnson	O'Connor	Sinsheimer
Addis	Dillon	Kavanaugh	Oliver	Sloan
Adler	Donnelly	Kelly	Paris	Stoneman
Allds	Dutton	Kelsey	Patton	Streifler
Armstrong	Eldridge	Kullman	Perkins	Sullivan
Baker	Ellis	Litchard	Phillips	Taylor
Boland	Evarts	Lowenthal	Pickett	Tiffany
Brennan E C	Finn	Mahar	Pierce	Tompkins

Brennen J F	Fish	Maloney	Post	Tremper
Brewster	Fitzgerald	Martin	Redington	Tripp
Brown	Fritz	Matteson	Reisert	Van Hoesen
Burr	Fuller	McEwan	Roche	Van Rens'aer
Clark A L	Gale	McKeown	Russell	Vroman
Collins	Gibney	McLaughlin	Sage	Wallace
Costello	Glaser	Meyer G W	Sanford	Weekes
Cottle	Goodsell	Miles	Schmid A F	Weill
Cowles	Green	Miller	Schmid F	Whipple
Crabtree	Hill	Mitchell	Schultz	Wicke
Cullen	Holbert	Mullany	Sears	Williams
Dale	Hubbard	Murray	Seligsberg	Witter
Davis	Ives	Nixon	Shoeneck	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 134) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' and to add another section thereto" (Rec. No. 113), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Eldridge	Hill	Mitchell	Schultz
Adler	Ellis	Hoes	Mohring	Sears
Armstrong	Evarts	Hoffman	Mullany	Seligsberg
Axtell	Farrell	Holbert	Murphy	Shoeneck
Baker	Finn	Hubbard	Murray	Sinsheimer
Boland	Fish	Hutton	Myers J C	Smith E LaG
Bondy	Fitzgerald	Ives	Nixon	Stedman
Brennan J F	Fordyce	Kavanaugh	O'Connor	Streifler
Brown	Fuller	Kelly	Palmer	Sullivan
Cain	Gallagher	Kullman	Paris	Taylor
Chanler	Gibney	Laimbeer	Patton	Tiffany

Clark C J	Glaser	Hays	Perkins	Tompkins
Costello	Goodsell	Litchard	Peterson	Tremper
Cottle	Graney	Mahar	Pickett	Van Hoesen
Cowles	Green	Maloney	Pierce	Vincent
Cross	Greenwood	Martin	Post	Vroman
Cullen	Griggs	Matteson	Raplee	Wallace
Davis	Guider	McEwan	Redington	Weekes
DeGraw	Hachemeis'r	McKeown	Roche	Whipple
Delaney	Haight	McLaughlin	Russell	Wicke
Dillon	Hanna	Meyer G W	Sage	Witter
Donnelly	Harburger	Miles	Schmid A F	Wright
Dutton	Hatch	Miller	Schmid F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 107) entitled "An act to amend chapter 754 of the Laws of 1897, entitled 'An act to provide for acquiring the site of the battle of Stony Point, in Rockland county, and making an appropriation therefor,' relating to the acquisition of lands" (Rec. No. 202), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hill	Mohring	Simmons
Addis	Egan	Hoes	Murphy	Sinsheimer
Allds	Eldridge	Holbert	Murray	Sloan
Armstrong	Evarts	Hubbard	Myers J C	Stedman
Axtell	Finn	Ives	O'Connor	Stoneman
Baker	Fish	Johnson	Oliver	Streifler
Bondy	Fordyce	Kavanaugh	Paris	Taylor
Brennan EC	Fritz	Kelly	Perkins	Tiffany
Brennen J F	Fuller	Kelsey	Phillips	Tompkins
Brown	Gale	Laimbeer	Pickett	Tremper

Cain	Gallagher	Litchard	Post	Tripp
Chanler	Gibney	Lowenthal	Redington	Van Hoesen
Clark A L	Goodsell	Mahar	Reisert	Vincent
Costello	Graney	Maloney	Russell	Vroman
Cottle	Greenwood	Marshall	Sage	Wallace
Cowles	Griggs	Mason	Schmid A F	Weekes
Cross	Guider	McEwan	Schmid F	Wicke
Dale	Haight	McKeown	Schultz	Williams
Davis	Hanna	McLaughlin	Schulum	Witter
DeGraw	Harburger	Miles	Sears	Wright
Dillon	Hatch	Miller	Shoeneck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 512) entitled "An act to amend chapter 560 of the Laws of 1897, entitled 'An act to provide for the removal of a portion of the dock or pier in the Hudson river at Piermont,' limiting the portion of such dock which may be removed" (Rec. No. 118), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative were:

Ackert	Evarts	Hubbard	Myers J C	Sinsheimer
Addis	Farrell	Hutton	Nixon	Smith E LaG
Adler	Fish	Ives	O'Connor	Stedman
Armstrong	Fitzgerald	Johnson	Oliver	Stoneman
Baker	Fritz	Kavanaugh	Paris	Sullivan
Bondy	Fuller	Kelly	Patton	Taylor
Brennen J F	Gale	Kullman	Peterson	Ten Eyck
Burr	Gibney	Laimbeer	Phillips	Tiffany
Cain	Glaser	Litchard	Pickett	Tompkins
Clark A L	Goodsell	Lowenthal	Post	Trainor
Collins	Green	Mahar	Redington	Van Hoesen
Costello	Greenwood	Maloney	Reisert	Van Rens'aer
Coughtry	Griggs	Marshall	Roche	Vroman

Cowles	Guider	Mason	Russell	Wallace
Crabtree	Hachemeis'r	McEwan	Sage	Weekes
Cross	Hanna	McGuire	Sanford	Weill
Dale	Harburger	McLaughlin	Schmid A F	Whipple
Davis	Hatch	Meyer G W	Schmid F	Wicke
Delaney	Hays	Miles	Schultz	Williams
Dillon	Hill	Miller	Schulum	Witter
Dutton	Hoes	Mohring	Sears	Wright
Egan	Hoffman	Mullany	Shoeneck	
Ellis	Holbert	Murphy		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 342) entitled "An act authorizing the Fisheries, Game and Forest Commissioners to establish a fish hatchery in the county of Delaware, and making an appropriation therefor" (Rec. No. 233), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hoffman	Myers J C	Sloan
Addis	Eldridge	Hubbard	Nixon	Stedman
Adler	Ellis	Hutton	O'Connor	Streitler
Armstrong	Finn	Johnson	Oliver	Taylor
Baker	Fish	Kelly	Palmer	Tiffany
Bondy	Fitzgerald	Kullman	Patton	Tompkins
Brennan E C	Fordyce	Laimbeer	Peterson	Trainor
Brewster	Fritz	Lowenthal	Pickett	Tremper
Burr	Gale	Mahar	Pierce	Tripp
Cain	Gallagher	Maloney	Raplee	Van Hoesen
Clark A L	Gibney	Martin	Reisert	Vincent
Collins	Glaser	Matteson	Russell	Vroman
Cottle	Graney	McEwan	Sanford	Wallace
Cowles	Green	McKeown	Schmid F	Weill
Cross	Griggs	Meyer G W	Schultz	Whipple

Dale	Guider	Miller	Sears	Wicke
DeGraw	Hanna	Mitchell	Shoeneck	Witter
Delaney	Hatch	Mullany	Sinsheimer	Wright
Donnelly	Hill	Murphy		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 791), entitled "An act to amend chapter 31 of the Laws of 1861, entitled 'An act to authorize the election of a police justice in the town of Saugerties, Ulster county'" (Rec. No. 198), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Evarts	Hubbard	Murphy	Sinsheimer
Addis	Finn	Hutton	Myers J C	Smith E LaG
Allds	Fish	Johnson	Nixon	Stedman
Axtell	Fitzgerald	Kavanaugh	Oliver	Streifler
Boland	Fritz	Kelsey	Paris	Sullivan
Brennan E C	Fuller	Laimbeer	Patton	Ten Eyck
Brewster	Gale	Litchard	Perkins	Tiffany
Brown	Gibney	Lowenthal	Phillips	Tompkins
Cain	Glaser	Mahar	Pickett	Tremper
Chanler	Graney	Maloney	Post	Tripp
Clark C J	Green	Marshall	Redington	Van Hoesen
Costello	Griggs	Mason	Reisert	Vincent
Coughtry	Guider	Matteson	Roche	Vroman
Crabtree	Hachemeis'r	McGuire	Russell	Wallace
Cullen	Haight	McKeown	Sanford	Weekes
Dale	Hanna	McLaughlin	Schmid F	Whipple
DeGraw	Harburger	Meyer G W	Schultz	Wicke
Delaney	Hatch	Miller	Sears	Williams
Donnelly	Hill	Mitchell	Seligsborg	Wright
Egan	Hoes	Mohring	Simmons	Zimmerman
Ellis	Hoffman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 649), entitled "An act to authorize Union Free School District No. 1, of the town of Walton, Delaware county, to issue bonds for the purpose of refunding the present indebtedness of such district" (Rec. No. 217), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hoffman	Mullany	Schulum
Addis	Dutton	Hubbard	Murray	Seligsberg
Adler	Egan	Hutton	Nixon	Sinsheimer
Allds	Ellis	Johnson	O'Connor	Smith E La G
Axtell	Evarts	Kavanaugh	Oliver	Stedman
Baker	Fish	Kelly	Paris	Streifler
Boland	Fordyce	Kelsey	Patton	Taylor
Bondy	Fuller	Kullman	Peterson	Tiffany
Brennen J F	Gale	Laimbeer	Phillips	Tompkins
Brewster	Gallagher	Litchard	Pickett	Trainor
Burr	Gibney	Mahar	Pierce	Tripp
Cain	Glaser	Maloney	Post	Van Hoesen
Clark A L	Graney	Marshall	Raplee	Vincent
Clark C J	Green	Mason	Redington	Wallace
Costello	Griggs	McEwan	Roche	Weill
Cottle	Guider	McKeown	Russell	Whipple
Cowles	Hachemeis'r	McLaughlin	Sage	Wicke
Cross	Hanna	Miles	Sanford	Witter
Cullen	Hatch	Mitchell	Schmid F	Wright
Davis	Hill	Mohring	Schultz	Zimmerman
Delaney	Hoes			

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No.

1614) entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' and the acts amendatory thereof and supplementary thereto" (Int No. 1251.)

On motion of Mr. Nixon, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hatch	Mitchell	Simmons
Addis	Dutton	Hays	Mullany	Sloan
Allds	Egan	Hoes	Murphy	Smith E LaG
Armstrong	Eldridge	Hoffman	Myers J C	Stoneman
Axtell	Ellis	Holbert	O'Connor	Streifler
Boland	Evarts	Hutton	Oliver	Taylor
Bondy	Farrell	Ives	Paris	Tiffany
Brennen J F	Fish	Kavanaugh	Perkins	Trainor
Brewster	Fitzgerald	Kelly	Phillips	Tremper
Burr	Fordyce	Kelsey	Pierce	Van Hoesen
Chanler	Fuller	Kullman	Post	Vincent
Clark C J	Gale	Lainbeer	Redington	Vroman
Costello	Gibney	Lowenthal	Reisert	Wallace
Cottle	Glaser	Mahar	Russell	Weekes
Cowles	Graney	Maloney	Sanford	Weill
Crabtree	Greenwood	Martin	Schmid A F	Whipple
Cullen	Griggs	Matteson	Schmid F	Williams
Dale	Guider	McEwan	Sears	Witter
DeGraw	Haight	McLaughlin	Seligsberg	Wright
Delaney	Hanna	Miles	Shoeneck	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Speaker announced the special order, being the bill (No. 826) entitled "An act to amend chapter 298 of the Laws of 1883, entitled

‘An act to provide for the government of the city of Albany,’ and the several acts amendatory thereof.” (Int. No. 732.)

On motion of Mr. Kelly said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 110 {
} NOES 00 {

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mullany	Shoeneck
Addis	Dillon	Hatch	Murphy	Simmons
Adler	Dutton	Hays	Murray	Sinsheimer
Armstrong	Egan	Hoes	Myers J C	Smith E LaG
Axtell	Eldridge	Holbert	Nixon	Stedman
Boland	Evarts	Hutton	Oliver	Streifler
Bondy	Farrell	Ives	Palmer	Sullivan
Brennen J F	Finn	Johnson	Paris	Ten Eyck
Brewster	Fish	Kelly	Perkins	Tompkins
Brown	Fitzgerald	Kelsey	Peterson	Trainor
Burr	Fritz	Lainbeer	Phillips	Tremper
Cain	Fuller	Litchard	Pickett	Van Hoesen
Clark A L	Gale	Mahar	Pierce	Vincent
Clark C J	Gallagher	Maloney	Post	Vroman
Collins	Gibney	Martin	Redington	Wallace
Costello	Goodsell	Matteson	Reisert	Weill
Coughtry	Graney	McGuire	Russell	Whipple
Cowles	Greenwood	McKeown	Sanford	Wicke
Crabtree	Griggs	Meyer G W	Schmid A F	Williams
Cullen	Guider	Miles	Schmid F	Witter
Dale	Hachemeis'r	Miller	Sears	Wright
DeGraw	Haight	Mitchell	Seligberg	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1360) entitled “An act to amend the Penal Code, in relation to the

punishment of fraudulent entries and practices in contests of speed between trotting and pacing horses." (Int. No. 1082.)

On motion of Mr. Burr, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 {
 { NOES 00 {

Those who voted in the affirmative were :

Ackert	Delaney	Hill	Murray	Shoenek
Addis	Dillon	Hoffman	Myers J C	Sinsheimer
Adler	Dutton	Holbert	O'Connor	Sloan
Allds	Egan	Hubbard	Oliver	Stedman
Armstrong	Eldridge	Ives	Palmer	Streifler
Baker	Evarts	Johnson	Patton	Taylor
Boland	Farrell	Kelly	Perkins	Ten Eyck
Bondy	Finn	Kelsey	Phillips	Tompkins
Brennan EC	Fish	Laimbeer	Pierce	Tremper
Brewster	Fitzgerald	Mahar	Post	Tripp
Brown	Fordyce	Maloney	Raplee	Van Hoesen
Burr	Fuller	Martin	Redington	Vincent
Chanler	Gallagher	Mason	Reisert	Wallace
Clark C J	Goodsell	McEwan	Roche	Weekes
Collins	Green	McGuire	Russell	Whipple
Cottle	Griggs	McLaughlin	Sanford	Wicke
Cowles	Hachemeis'r	Meyer G W	Schmid A F	Williams
Crabtree	Haight	Milley	Schultz	Witter
Cullen	Harburger	Mohring	Schulum	Wright
Dale	Hatch	Mullany	Sears	Zimmerman
DeGraw				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 609) entitled "An act to provide for the repair of the bridge over the outlet of Crooked lake, in the town of Milo, Yates county, and making an appropriation therefor." (Rec. No. 154.)

On motion of Mr. Raplee said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	Mohring	Sinsheimer
Addis	Delaney	Hatch	Murphy	Sloan
Adler	Dillon	Hays	Murray	Stoneman
Allds	Donnelly	Hoes	Nixon	Streifler
Armstrong	Egan	Holbert	Oliver	Sullivan
Baker	Eldridge	Hubbard	Palmer	Ten Eyck
Boland	Ellis	Johnson	Patton	Tompkins
Bondy	Farrell	Kelly	Peterson	Trainor
Brennan E C	Finn	Kelsey	Phillips	Tremper
Brennen J F	Fish	Kullman	Pickett	Tripp
Brewster	Fordyce	Laimbeer	Post	Van Hoesen
Brown	Fritz	Litchard	Redington	Vincent
Burr	Fuller	Mahar	Reisert	Vroman
Cain	Gallagher	Maloney	Russell	Weekes
Clark A L	Gibney	Marshall	Sanford	Whipple
Collins	Goodsell	Martin	Schmid F	Wicke
Cottle	Graney	Matteson	Schultz	Williams
Coughtry	Greenwood	McGuire	Schulum	Witter
Crabtree	Griggs	McLaughlin	Sears	Wright
Cullen	Guider	Miles *	Shoeneck	Zimmerman
Dale	Haight	Mitchell		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 883) entitled "An act to amend section 82, section 83 as amended by chapter 134 of the Laws of 1895, and to repeal section 84 of chapter 338 of the Laws of 1893, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4, 5, 6 and 7 of chapter

33 of the general laws,' relative to the prevention of diseases in fruit trees and the pests that infect the same." (Rec. No. 254.)

On motion of Mr. Perkins, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeLaney	Hatch	Murray	Sinsheimer
Addis	Dillon	Hoes	Nixon	Smith E LaG
Adler	Dutton	Holbert	O'Connor	Stedman
Armstrong	Egan	Hubbard	Palmer	Stoneman
Axtell	Eldridge	Ives	Paris	Sullivan
Baker	Ellis	Johnson	Perkins	Ten Eyck
Boland	Evarts	Kelly	Peterson	Tompkins
Bondy	Finn	Kelsey	Pickett	Trainor
Brennan E C	Fish	Laimbeer	Pierce	Tripp
Brewster	Fordyce	Mahar	Post	Van Hoesen
Brown	Fritz	Maloney	Redington	Van Rens'aer
Burr	Gale	Marshall	Reisert	Vroman
Chanler	Gallagher	Mason	Roche	Wallace
Clark C J	Gibney	Matteson	Sage	Weill
Costello	Goodsell	McGuire	Sanford	Whipple
Cottle	Graney	McKeown	Schmid A F	Wicke
Cowles	Greenwood	Miles	Schultz	Williams
Crabtree	Griggs	Mitchell	Schulum	Witter
Cullen	Hachemeis'r	Mullany	Seligsberg	Wright
Dale	Hanna	Murphy	Shoeneck	Zimmerman
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1671) entitled "An act to amend the Indian Law, in relation to the Saint Regis tribe of Indians." (Int. No. 1239.)

On motion of Mr. Sears, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hoffman	Mohring	Simmons
Addis	Eldridge	Hubbard	Murphy	Sinsheimer
Adler	Ellis	Hutton	Murray	Sloan
Armstrong	Farrell	Ives	Nixon	Smith E LaG
Axtell	Finn	Johnson	O'Connor	Stedman
Baker	Fitzgerald	Kavanaugh	Paris	Streifler
Bondy	Fordyce	Kelly	Patton	Sullivan
Brennan E C	Fuller	Kelsey	Perkins	Ten Eyck
Brennen J F	Gallagher	Kullman	Phillips	Tompkins
Brewster	Gibney	Laimbeer	Pickett	Tremper
Cain	Glaser	Litchard	Post	Tripp
Chanler	Goodsell	Lowenthal	Raplee	Van Rens'aer
Clark C J	Green	Mahar	Reisert	Vroman
Collins	Greenwood	Maloney	Roche	Wallace
Coughtry	Griggs	Marshall	Sage	Weill
Crabtree	Guider	Mason	Sanford	Wicke
Cross	Hachemeis'r	McEwan	Schmid F	Whipple
Dale	Hanna	McKeown	Schultz	Williams
DeGraw	Hatch	McLaughlin	Schulum	Witter
Dillon	Hays	Miles	Sears	Wright
Donnelly	Hoes	Mitchell	Shoeneck	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1686) entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture." (Int. No. 1272.)

On motion of Mr. Cowles, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 108 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Harburger	Miller	Schultz
Addis	DeGraw	Hatch	Mitchell	Schulum
Adler	Delaney	Hill	Mohring	Sears
Armstrong	Dillon	Hoes	Murphy	Seligsberg
Axtell	Dutton	Holbert	Murray	Shoeneck
Baker	Egan	Hubbard	Myers J C	Sloan
Boland	Eldridge	Hutton	Nixon	Stoneman
Bondy	Ellis	Ives	O'Connor	Sullivan
Brennan E C	Evarts	Johnson	Palmer	Ten Eyck
Brennen J F	Finn	Kavanaugh	Paris	Tompkins
Brewster	Fish	Kelly	Perkins	Trainer
Brown	Fuller	Kelsey	Phillips	Tremper
Burr	Gale	Laimbeer	Pickett	Van Hoesen
Chanler	Gallagher	Litchard	Post	Vincent
Clark C J	Gibney	Mahar	Raplee	Vroman
Collins	Goodsell	Maloney	Redington	Weekes
Costello	Graney	Marshall	Roche	Whipple
Coughtry	Green	Mason	Russell	Wicke
Cowles	Greenwood	McEwan	Sanford	Witter
Cross	Griggs	McGuire	Schmid A F	Wright
Cullen	Guider	McLaughlin	Schmid F	Zimmerman
Dale	Haight	Meyer G W		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 717) entitled "An act to amend chapter 260 of the Laws of 1891, entitled 'An act to establish a hospital in and for the city of Cohoes, and to provide for the erection, government and maintenance thereof,' ending the term of office of the commissioners appointed thereunder and the power to appoint or confirm the same, and repeal certain sections thereof." (Rec. No. 205.)

On motion of Mr. Stedman, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 104 }
 } NOES }

Those who voted in the affirmative, were

Ackert	Dutton	Holbert	Mullany	Simmons
Addis	Eldridge	Hubbard	Murphy	Sloan
Adler	Ellis	Hutton	Myers J C	Smith E La G
Armstrong	Farrell	Ives	Nixon	Stedman
Axtell	Fish	Johnson	Oliver	Stoneman
Boland	Fitzgerald	Kelly	Palmer	Streifler
Brennan E C	Fordyce	Kelsey	Patton	Taylor
Brewster	Fuller	Kullman	Peterson	Ten Eyck
Burr	Gallagher	Litchard	Pickett	Tompkins
Cain	Gibney	Lowenthal	Pierce	Trainer
Clark A L	Glaser	Mahar	Post	Tripp
Clark C J	Graney	Maloney	Redington	Van Rens'aer
Costello	Green	Marshall	Reisert	Vroman
Cottle	Griggs	Mason	Russell	Weekes
Coughtry	Guider	McEwan	Sanford	Weill
Cowles	Haight	McGuire	Schmid A F	Whipple
Crabtree	Hanna	McKeown	Schmid F	Wicke
Cullen	Harburger	Meyer G W.	Schulum	Witter
Davis	Hays	Miles	Sears	Wright
Delaney	Hill	Miller	Shoenek	Zimmerman
Dillon	Hoffman	Mohring	Schultz	

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly, have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 748) entitled "An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' passed May 18, 1892." (Rec. No. 207.)

On motion of Mr. Stedman, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hill	Murray	Sinsheimer
Addis	Delaney	Hoffman	Myers J C	Sloan
Adler	Dillon	Holbert	Nixon	Smith E La G
Allds	Donnelly	Hubbard	O'Connor	Stoneman
Armstrong	Egan	Hutton	Oliver	Streifler
Axtell	Eldridge	Johnson	Paris	Ten Eyck
Baker	Farrell	Kavanaugh	Patton	Tiffany
Bondy	Fish	Kelsey	Perkins	Tompkins
Brennan E C	Fordyce	Kullman	Peterson	Trainor
Brennen J F	Fritz	Litchard	Pickett	Tripp
Brewster	Gale	Mahar	Post	VanHoesen
Burr	Gallagher	Maloney	Raplee	Van Rens'aer
Chanler	Glaser	Marshall	Reisert	Vroman
Clark A L	Goodsell	Mason	Russell	Wallace
Collins	Green	Matteson	Sage	Weill
Costello	Greenwood	McGuire	Sanford	Whipple
Cottle	Guider	McLaughlin	Schmid F	Wicke
Coughtry	Haight	Miles	Schultz	Williams
Crabtree	Hanna	Miller	Sears	Witter
Cullen	Hatch	Mohring	Shoeneck	Wright
Dale	Hays	Mullany		

Ordered, That the Clerk return said bill to the Senate, with a mesrage that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1028) entitled "An act making an appropriation for deficiency in appropriation for the legislative printing of the State." (Int. No. 884.)

On motion of Mr. Nixon, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 90 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hatch	Murphy	Sinsheimer
Addis	Delaney	Hill	Myers J C	Smith E LaG
Adler	Donnelly	Hoffman	Nixon	Stedman
Armstrong	Dutton	Holbert	O'Connor	Stoneman
Axtell	Eldridge	Hutton	Oliver	Streifler
Boland	Ellis	Ives	Paris	Taylor
Bondy	Evarts	Kavanaugh	Patton	Tiffany
Brennan E C	Farrell	Kelly	Perkins	Trainor
Brennen J F	Finn	Kelsey	Phillips	Tremper
Brewster	Fitzgerald	Laimbeer	Pickett	Tripp
Burr	Fordyce	Litchard	Post	Van Rens'aer
Cain	Fuller	Mahar	Raplee	Vincent
Clark A L	Gale	Maloney	Redington	Vroman
Collins	Gallagher	Martin	Roche	Wallace
Costello	Glaser	Mason	Sage	Weill
Cottle	Goodsell	McEwan	Schmid A F	Whipple
Cowles	Graney	McGuire	Schmid F	Wicke
Crabtree	Greenwood	McLaughlin	Schulum	Williams
Cross	Griggs	Miles	Seligsberg	Witter
Dale	Guider	Miller	Shoeneck	Wright
Davis	Hanna	Mohring	Simmons	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 801) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in The City of New York,' in relation to buildings in said city." (Rec. No. 211.)

On motion of Mr. Kelsey, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hatch	Miller	Shoeneck
Addis	Dillon	Hays	Mohring	Simmons
Adler	Donnelly	Hoes	Mullany	Sinsheimer
Allds	Dutton	Hoffman	Murphy	Smith E LaG
Axtell	Egan	Holbert	Myers J C	Stoneman
Baker	Eldridge	Hubbard	Nixon	Streifler
Boland	Evarts	Hutton	O'Connor	Sullivan
Bondy	Finn	Johnson	Palmer	Tiffany
Brennen J F	Fitzgerald	Kavanaugh	Paris	Tompkins
Brewster	Fordyce	Kelly	Perkins	Trainor
Brown	Fuller	Kullman	Phillips	Tripp
Burr	Gale	Laimbeer	Pickett	Van Hoesen
Cain	Gibney	Lowenthal	Post	Vincent
Clark A L	Glaser	Mahar	Redington	Vroman
Clark C J	Goodsell	Marshall	Reisert	Weekes
Costello	Green	Martin	Roche	Whipple
Coughtry	Greenwood	Matteson	Sage	Wicke
Cowles	Griggs	McGuire	Schmid A F	Williams
Cross	Hachemeis'r	McKeown	Schmid F	Witter
Cullen	Haight	McLaughlin	Schulum	Wright
Dale	Harburger	Miles	Seligsberg	Zimmerman
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 953) entitled "An act authorizing the city of Lockport to raise money for fire, highway and street lighting purposes." (Rec. No. 293.)

On motion of Mr. Tompkins, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Haight	Miles	Shoeneck
Addis	Dutton	Hanna	Miller	Sinsheimer
Adler	Eldridge	Hatch	Mitchell	Smith E LaG
Allds	Ellis	Hill	Mohring	Stedman
Axtell	Evarts	Hoffman	Mullany	Streifer
Baker	Farrell	Hubbard	Murray	Sullivan
Bondy	Finn	Ives	Myers J C	Taylor
Brennen J F	Fish	Johnson	O'Connor	Tiffany
Brewster	Fitzgerald	Kavanaugh	Palmer	Tiffany
Brown	Fordyce	Kelly	Patton	Tompkins
Cain	Fritz	Kelsey	Perkins	Tremper
Chanler	Fuller	Laimbeer	Phillips	Van Hoesen
Clark C J	Gale	Litchard	Pickett	Vincent
Collins	Gallagher	Mahar	Pierce	Vroman
Cottle	Gibney	Maloney	Raplee	Wallace
Coughtry	Glaser	Marshall	Reisert	Weill
Crabtree	Goodsell	Mason	Russell	Whipple
Cullen	Graney	Matteson	Sage	Wicke
Dale	Green	McEwan	Sanford	Williams
Davis	Griggs	McKeown	Schmid F	Witter
DeGraw	Guider	McLaughlin	Schultz	Wright
Dillon	Hachemeis'r	Meyer G W	Sears	Zimmerman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 954) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,'"

and the several acts amendatory thereof and supplemental thereto." (Int. No. 294.)

On motion of Mr. Vroman, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hanna	Miller	Sears
Addis	DeGraw	Hatch	Mitchell	Shoeneck
Adler	Delaney	Hays	Mohring	Sloan
Allds	Donnelly	Hoes	Murphy	Smith E La G
Armstrong	Dutton	Hoffman	Myers J C	Stedman
Axtell	Egan	Hubbard	Nixon	Stoneman
Baker	Eldridge	Ives	Oliver	Sullivan
Boland	Ellis	Johnson	Palmer	Taylor
Bondy	Evarts	Kavanaugh	Patton	Tiffany
Brennen J F	Finn	Kelsey	Perkins	Tompkins
Brewster	Fitzgerald	Kullman	Peterson	Tremper
Brown	Fordyce	Laimbeer	Phillips	Tripp
Burr	Fritz	Litchard	Pickett	VanHoesen
Cain	Fuller	Mahar	Post	Van Rens'aer
Clark A L	Gallagher	Maloney	Raplee	Vroman
Clark C J	Gibney	Marshall	Redington	Wallace
Costello	Goodsell	Mason	Roche	Weekes
Coughtry	Graney	Matteson	Russell	Weill
Crabtree	Greenwood	McEwan	Sage	Whipple
Cross	Griggs	McGuire	Sanford	Williams
Cullen	Guider	McLaughlin	Schmid F	Witter
Dale	Haight	Meyer G W	Schultz	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Nixon moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ackert	DeGraw	Hoes	Murphy	Seligsberg
Addis	Delaney	Holbert	Murray	Shoeneck
Adler	Dillon	Hubbard	Myers J C	Sinsheimer
Allds	Donnelly	Hutton	Nixon	Sloan
Armstrong	Egan	Ives	O'Connor	Smith E LaG
Axtell	Eldridge	Johnson	Oliver	Stedman
Baker	Ellis	Kavanaugh	Palmer	Stoneman
Boland	Evarts	Kelly	Paris	Streifler
Bondy	Farrell	Kelsey	Patton	Taylor
Brennan EC	Fitzgerald	Kullman	Perkins	Ten Eyck
Brennen J F	Fordyce	Litchard	Peterson	Tiffany
Brewster	Gale	Lowenthal	Pickett	Tompkins
Burr	Gallagher	Mahar	Pierce	Trainor
Cain	Gibney	Maloney	Raplee	Tremper
Clark A L	Glaser	Martin	Redington	Tripp
Clark C J	Goodsell	Matteson	Reisert	Vincent
Collins	Green	McEwan	Roche	Vroman
Costello	Greenwood	McGuire	Russell	Wallace
Cottle	Guider	McKeown	Sage	Weill
Coughtry	Hachemeis'r	McLaughlin	Sanford	Whipple
Cowles	Haight	Meyer G W	Schmid A F	Wicke
Crabtree	Hanna	Miles	Schmid F	Williams
Cross	Hatch	Miller	Schultz	Witter
Cullen	Hays	Mitchell	Schulum	Wright
Davis	Hill	Mullany	Sears	Zimmerman

125

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Post, Van Rensselaer, Mason, Dutton, Fuller, Fish, each of whom, upon giving satisfactory explanation for being absent, was excused,

Mr. Nixon moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 1004) entitled "An act further to provide for the office of inspector of construction, alteration and repairs of public buildings in the county of Kings, and to define certain powers and duties" (Int. No. 861),

Said bill having been announced for a third reading,

On motion of Mr. DeGraw, and by unanimous consent, said bill was made a special order on third reading, for to-morrow morning at 11 o'clock.

Mr. Speaker announced the special order, being the bill (No. 1700) entitled "An act to authorize union school district No. 22 of the town of Onondaga to refund its bonded indebtedness." (Int. No. 1286.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hoes	Mullany	Simmons
Addis	Delaney	Hoffman	Murphy	Sloan
Adler	Donnelly	Hubbard	Myers J C	Smith E LaG
Allds	Egan	Hutton	Nixon	Stoneman
Axtell	Eldridge	Johnson	Oliver	Streifler
Baker	Evarts	Kavanaugh	Palmer	Taylor
Boland	Finn	Kelsey	Patton	Tiffany
Bondy	Fish	Kullman	Peterson	Tompkins
Brennan E C	Fordyce	Lainbeer	Phillips	Tremper
Brennen J F	Fritz	Lowenthal	Pierce	Tripp
Brown	Gale	Mahar	Raplee	Van Rens'aer
Cain	Gibney	Maloney	Redington	Vincent
Chanler	Goodsell	Marshall	Roche	Wallace
Clark C J	Green	Martin	Russell	Weill
Collins	Griggs	Matteson	Sanford	Whipple
Cottle	Hachemeis'r	McGuire	Schmid A F	Williams
Coughtry	Haight	McLaughlin	Schulum	Witter
Crabtree	Hanna	Meyer G W	Sears	Wright
Cullen	Hatch	Miller	Shoeneck	Zimmerman
Davis	Hays	Mitchell		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1581) entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' and to repeal certain sections thereof." (Int. No. 710)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hill	Miller	Seligsberg
Addis	Egan	Hoes	Mitchell	Sinsheimer
Adler	Eldridge	Hoffman	Mohring	Sloan
Armstrong	Evarts	Hubbard	Murphy	Stoneman
Axtell	Farrell	Hutton	Myers J C	Streifler
Baker	Finn	Johnson	Nixon	Sullivan
Boland	Fitzgerald	Kavanaugh	Oliver	Taylor
Brennan E C	Fordyce	Kelly	Paris	Tiffany
Brennen J F	Fritz	Kelsey	Patton	Trainor
Brown	Fuller	Kullman	Peterson	Tremper
Burr	Gale	Litchard	Phillips	Tripp
Chanler	Gibney	Lowenthal	Pierce	Van Hoesen
Clark C J	Goodsell	Mahar	Raplee	Vincent
Collins	Graney	Maloney	Redington	Wallace
Cottle	Greenwood	Martin	Roche	Weekes
Cowles	Griggs	Mason	Russell	Whipple
Gross	Hachemeis'r	McEwan	Sanford	Wicke
Cullen	Haight	McGuire	Schmid A F	Williams
Davis	Harburger	McLaughlin	Schultz	Witter
DeGraw	Hatch	Meyer G W	Schulum	Zimmerman
Dillon				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1629) entitled "An act legalizing the acts of Frank Burton as notary public." (Int. No. 1266.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hutton	Oliver	Stedman
Addis	Egan	Ives	Paris	Simmons
Adler	Eldridge	Johnson	Perkins	Sullivan
Allds	Evarts	Kelly	Phillips	Taylor
Armstrong	Farrell	Kelsey	Pierce	Ten Eyck
Baker	Fish	Laimbeer	Raplee	Tompkins
Bondy	Fordyce	Lowenthal	Redington	Trainor
Brennan E C	Fritz	Mahar	Reisert	Tripp
Brewster	Fuller	Maloney	Roche	Van Rens'aer
Brown	Gallagher	Marshall	Russell	Vincent
Cain	Gibney	Mason	Sanford	Vroman
Chanler	Goodsell	Matteson	Schmid A F	Wallace
Clark C J	Greenwood	McEwan	Schmid F	Weekes
Costello	Griggs	McKeown	Schulum	Weill
Coughtry	Hachemeis'r	Meyer G W	Seligsberg	Whipple
Cowles	Hanna	Miles	Shoeneck	Wicke
Cross	Hatch	Mitchell	Simmons	Witter
Dale	Hill	Mullany	Sloan	Wright
DeGraw	Hoffman	Nixon	Smith E La G	Zimmerman
Dillon	Holbert			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order being the Senate bill (No. 633) entitled "An act to regulate the sale of merchandise and to prevent misleading and dishonest representations in connection therewith" (Rec. No. 137), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hoes	Mullany	Sloan
Addis	Donnelly	Hoffman	Murray	Smith E LaG
Adler	Dutton	Hubbard	Myers J C	Stedman
Allds	Eldridge	Hutton	Nixon	Streifler
Axtell	Ellis	Ives	Oliver	Sullivan
Baker	Farrell	Johnson	Paris	Taylor
Boland	Finn	Kelly	Patton	Tiffany
Brennan E C	Fitzgerald	Kelsey	Perkins	Tompkins
Brennen J F	Fritz	Laimbeer	Phillips	Tremper
Brewster	Gale	Litchard	Pierce	Tripp
Burr	Gallagher	Mahar	Post	Van Rens'aer
Cain	Glaser	Maloney	Raplee	Vincent
Clark A L	Graney	Marshall	Roche	Vroman
Collins	Greenwood	Mason	Sage	Weekes
Costello	Griggs	Matteson	Sanford	Weill
Coughtry	Hachemeis'r	McEwan	Schmid F	Whipple
Cowles	Haight	McKeown	Sears	Williams
Cross	Hanna	Meyer G W	Seligsberg	Witter
Dale	Hatch	Miller	Shoeneck	Wright
Davis	Hays	Mitchell	Simmons	Zimmerman
DeGraw				

Mr. Green moved to reconsider the vote by which said bill was passed.

Mr. Speaker then put the question whether the House would agree to the reconsideration of the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hays	Mitchell	Schultz
Addis	Egan	Hoes	Mohring	Sears
Adler	Ellis	Hoffman	Murphy	Seligsberg
Allds	Evarts	Holbert	Murray	Simmons

Axtell	Farrell	Hutton	Myers J C	Sloan
Boland	Fish	Johnson	O'Connor	Smith E La G
Brennan E C	Fitzgerald	Kavanaugh	Palmer	Stedman
Brewster	Fritz	Kelly	Paris	Streifler
Brown	Fuller	Kelsey	Patton	Taylor
Cain	Gallagher	Laimbeer	Perkins	Tompkins
Chanler	Gibney	Litchard	Phillips	Tremper
Clark C J	Goodsell	Lowenthal	Pickett	Van Hoesen
Collins	Green	Mahar	Post	Van Rens'aer
Costello	Greenwood	Maloney	Raplee	Vroman
Coughtry	Griggs	Marshall	Redington	Wallace
Cowles	Guider	Mason	Reisert	Weill
Cross	Hachemeis'r	McEwan	Russell	Whipple
Dale	Hanna	McGuire	Sage	Williams
DeGraw	Haight	McLaughlin	Schmid A F	Wright
Dillon	Harburger	Miles	Schmid F	Zimmerman

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 5 }

Those who voted in the affirmative, were

Ackert	Davis	Holbert	Miles	Simmons
Addis	DeGraw	Hubbard	Mullany	Sinsheimer
Adler	Donnelly	Hutton	Murray	Sloan
Allds	Egan	Ives	Myers J C	Smith E La G
Armstrong	Eldridge	Johnson	Nixon	Stedman
Axtell	Ellis	Kavanaugh	Palmer	Sullivan
Bondy	Evarts	Kelsey	Paris	Taylor
Brennen J F	Farrell	Kullman	Patton	Ten Eyck
Brewster	Fitzgerald	Laimbeer	Perkins	Tiffany
Burr	Fordyce	Litchard	Peterson	Tompkins
Chanler	Fritz	Lowenthal	Phillips	Trainor
Clark A L	Fuller	Mahar	Pickett	Tripp
Clark C J	Glaser	Marshall	Pierce	Van Hoesen
Collins	Goodsell	Martin	Post	Van Rens'aer
Costello	Greenwood	Mason	Raplee	Vincent
Cottle	Haight	Matteson	Redington	Vroman

Coughtry	Harburger	McEwan	Russell	Wallace
Cowles	Hays	McGuire	Sanford	Weekes
Crabtree	Hill	McKeown	Schultz	Wicke
Cross	Hoes	McLaughlin	Schulum	Williams
Cullen	Hoffman	Meyer G W	Shoeneck	Witter

Those who voted in the negative, were

Boland	Brown	Fish	Green	Schmid A F
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Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 903) entitled "An act to amend the Banking Law, in relation to verification of reports." (Rec. No. 270.)

On motion of Mr. Nixon said bill was ordered to a third reading.

On motion of Mr. Nixon, and by unanimous consent, said bill was made a special order on third reading for to morrow at 11 o'clock.

Mr. Speaker announced the special order, being the bill (No. 1086) entitled "An act making an appropriation for the New York State Soldiers' and Sailors' Home." (Int No. 297).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hatch	Mitchell	Shoeneck
Addis	Delaney	Hill	Mullany	Sinsheimer
Adler	Dillon	Hoffman	Murphy	Smith E LaG
Allds	Dutton	Holbert	Myers J C	Stedman
Armstrong	Egan	Hutton	Nixon	Streifler
Axtell	Ellis	Ives	Oliver	Taylor
Baker	Evarts	Johnson	Paris	Tiffany
Boland	Finn	Kavanaugh	Patton	Tompkins

Bondy	Fish	Kelly	Perkins	Tremper
Brennan E C	Fitzgerald	Kullman	Phillips	Tripp
Brewster	Fordyce	Litchard	Pierce	Van Hoesen
Burr	Fuller	Mahar	Post	Vincent
Cain	Gale	Maloney	Raplee	Wallace
Clark A L	Gibney	Marshall	Redington	Weill
Clark C J	Glaser	Mason	Reisert	Whipple
Collins	Graney	McEwan	Russell	Wicke
Cottle	Green	McGuire	Sanford	Williams
Cowles	Griggs	McKeown	Schmid F	tter
Crabtree	Hachemeis'r	McLaughlin	Schultz	Wright
Cross	Haight	Miles	Schulum	Zimmerman
Dale	Harburger	Miller	Seligsberg	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1625) entitled "An act to provide for the payment of taxes in the city of Rome, Oneida county, and the several wards thereof." (Int. No. 1262.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cross	Hachemeis'r	McLaughlin	Schultz
Addis	Dale	Haight	Miles	Seligsberg
Adler	Davis	Hanna	Miller	Sinsheimer
Allds	Delaney	Hatch	Mohring	Sloan
Armstrong	Dillon	Hill	Mullany	Stedman
Baker	Dutton	Hoffman	Murray	Streifler
Boland	Eldridge	Holbert	Myers J C	Sullivan
Bondy	Evarts	Hutton	O'Connor	Ten Eyck
Brennan E C	Farrell	Johnson	Palmer	Tompkins
Brewster	Fish	Kelly	Patton	Tremper
Brown	Fordyce	Kullman	Perkins	Van Hoesen

Burr	Fritz	Laimbeer	Phillips	Van Rens'aer
Cain	Fuller	Litchard	Pierce	Vroman
Chanler	Gallagher	Maloney	Raplee	Weill
Clark C J	Glaser	Marshall	Redington	Whipple
Collins	Goodsell	Martin	Roche	Williams
Costello	Green	Matteson	Russell	Witter
Cottle	Griggs	McEwan	Sanford	Wright
Cowles	Guider	McKeown	Schmid F	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1652) entitled "An act to amend section 544 of the Penal Code relating to larceny by false pretence." (Int. No. 740).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Holbert	Murray	Simmons
Addis	Egan	Hubbard	Myers J C	Sloan
Addis	Ellis	Ives	O'Connor	Stedman
Allds	Evarts	Johnson	Oliver	Streitler
Armstrong	Farrell	Kavanaugh	Palmer	Sullivan
Axtell	Fish	Kelly	Patton	Taylor
Baker	Fordyce	Kelsey	Perkins	Ten Eyck
Brennan E C	Fritz	Kullman	Peterson	Tiffany
Brennen J F	Gale	Litchard	Pickett	Tompkins
Brown	Gallagher	Mahar	Pierce	Trainor
Burr	Glaser	Maloney	Post	Tremper
Chanler	Goodsell	Marshall	Raplee	Van Hoesen
Clark C J	Graney	Martin	Reisert	Van Rens'aer
Collins	Green	Matteson	Roche	Vincent
Cottle	Griggs	McGuire	Sage	Wallace
Cowles	Guider	McKeown	Sanford	Weill
Crabtree	Hachemeis'r	McLaughlin	Schmid A F	Whipple
Cross	Hanna	Meyer G W	Schmid F	Wicke

Dale	Harburger	Miller	Schulum	Williams
Davis	Hatch	Mohring	Seligsberg	Witter
Delaney	Hill	Mullany	Schultz	Zimmerman
Donnelly	Hoffman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1508) entitled "An act to incorporate Grenell's Island park, in the Saint Lawrence river, situated in the town of Clayton, Jefferson county, and to define its boundary, and to provide for its management and control as a summer resort." (Int. No. 1197).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hatch	Mullany	Sloan
Addis	Dutton	Hill	Murphy	Smith E LaG
Adler	Egan	Hoffman	Myers J C	Stoneman
Armstrong	Eldridge	Holbert	Nixon	Sullivan
Axtell	Ellis	Hubbard	Oliver	Ten Eyck
Baker	Evarts	Ives	Palmer	Tiffany
Bondy	Finn	Johnson	Patton	Tompkins
Brennan E C	Fish	Kelly	Perkins	Trainor
Brewster	Fitzgerald	Kullman	Phillips	Tremper
Brown	Fritz	Litchard	Pickett	Van Hoesen
Burr	Fuller	Lowenthal	Post	Van Rens'aer
Chanler	Gale	Mahar	Raplee	Vincent
Clark A L	Gallagher	Marshall	Reisert	Vroman
Clark C J	Glaser	Martin	Russell	Wallace
Collins	Goodsell	Mason	Sage	Weekes
Cottle	Graney	Matteson	Sanford	Weill
Coughtry	Greenwood	McGuire	Schmid F	Whipple
Crabtree	Griggs	McKeown	Sears	Wicke
Cullen	Guider	Myer G W	Schultz	Williams

Dale	Hachemeis'r	Miller	Simmons	Witter
DeGraw	Haight	Mitchell	Sinsheimer	Zimmerman
Delaney	Harburger			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1728) entitled "An act to amend section 20 of chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State racing commission,' relating to collection of tax." (Int. No. 1003).

Said bill having been announced for a second reading,

Mr. DeGraw moved to amend as follows:

Page 1, line 6, strike out the word "herein."

Same page, line 7, after the word "imposed" insert the words "by chapter five hundred and seventy of the laws of eighteen hundred and ninety-five, and the amendments thereto."

Page 2, line 2, after the word "corporations" strike out down to and including the word "chapter" in line 3, and insert the words "firms or associations, person or persons, referred to in said chapter and the amendments thereto."

Same page, line 5, after the word "corporations" insert the words "firms, person or persons."

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. DeGraw, said bill was ordered reprinted and placed on the order of third reading.

Pursuant to notice Mr. Streifler called up the Senate bill No. 786, entitled "An act to amend the Transportation Corporations Law, relative to interests on deposits with gas companies" (Rec. No. 204).

Said bill having been announced for a second reading, Mr. Streifler moved to amend as follows:

Page 2, line 8, after the word "corporation" insert the words "such interest to be paid annually upon the first day of January of each year or as soon thereafter as practicable," and strike out the rest of the section.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Streifler said bill was ordered reprinted and placed on the order of third reading.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Dillon	Hoes	Mohring	Shoeneck
Addis	Donnelly	Hoffman	Mullany	Simmons
Adler	Dutton	Holbert	Murphy	Sinsheimer
Allds	Egan	Hubbard	Murray	Sloan
Armstrong	Eldridge	Hutton	Myers J C	Smith E LaG
Axtell	Ellis	Ives	Nixon	Stedman
Baker	Evarts	Johnson	O'Connor	Stoneman
Bondy	Farrell	Kavanaugh	Oliver	Streifler
Brennen J F	Finn	Kelly	Palmer	Sullivan
Brewster	Fish	Kelsey	Paris	Taylor
Brown	Fitzgerald	Kullman	Patton	Ten Eyck
Burr	Fordyce	Laimbeer	Perkins	Tiffany
Cain	Fritz	Litchard	Peterson	Tompkins
Chanler	Fuller	Lowenthal	Phillips	Trainor
Clark A L	Gale	Mahar	Pickett	Tripp
Clark C J	Gallagher	Maloney	Pierce	Van Hoesen
Collins	Gibney	Marshall	Post	Van Rens'aer
Costello	Glaser	Martin	Raplee	Vincent
Cottle	Goodsell	Mason	Redington	Vroman
Coughtry	Graney	Matteson	Reisert	Wallace
Cowles	Green	McEwan	Roche	Weill
Crabtree	Greenwood	McGuire	Russell	Whipple
Cross	Guider	McKeown	Sage	Wicke
Cullen	Haight	McLaughlin	Sanford	Williams
Dale	Hanna	Meyer G W	Schmid A F	Witter
Davis	Harburger	Miles	Schultz	Wright
DeGraw	Hays	Miller	Schulum	Zimmerman
Delaney	Hill	Mitchell	Sears	139

The Clerk furnished a list of absentees to the Sergeant-at-Arms who appeared before the bar of the House, with Messrs. Hatch, Weekes and E. C. Brennan, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message was received from Hon. James K. McGuire, mayor of the city of Syracuse, returning Assembly bill No. 981, entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof and supplemental thereto" (Int. No. 749), with a message that the common council of said city, after a public hearing thereon does approve said bill and does accept the same, and with the further message that said mayor of said city does not approve said bill and does not accept the same.

Said bill was transmitted to the mayor March 3d, 1898 and returned by the mayor March 19th, 1898, and not within the time prescribed by the Constitution.

Mr. Speaker stated the question to be "Shall this bill become a law not having been returned by the mayor of the city of Syracuse within the time prescribed by the Constitution?"

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	80	}
{	NOES	42	}

Those who voted in the affirmative, were

Addis	Cross	Hill	Miles	Steadman
Adler	Davis	Hoes	Miller	Stoneman
Allds	DeGraw	Holbert	Murphy	Taylor
Armstrong	Delaney	Ives	Nixon	Ten Eyck
Axtell	Dutton	Johnson	Paris	Tiffany
Baker	Eldridge	Kavanaugh	Patton	Tremper
Bondy	Ellis	Kelsey	Perkins	Tripp
Brennan E C	Evarts	Laimbeer	Peterson	Van Rens'aer
Brewster	Fish	Litchard	Pierce	Vincent
Burr	Fordyce	Lowenthal	Post	Wallace
Clark A L	Fuller	Marshall	Raplee	Weekes
Clark C J	Goodsell	Martin	Russell	Whipple
Costello	Greenwood	Mason	Sears	Williams
Cottle	Hanna	Matteson	Simmons	Witter
Coughtry	Hatch	McEwan	Sloan	Zimmerman
Cowles	Hays	McLaughlin	Smith E LaG	Speaker

Those who voted in the negative, were

Ackert	Dale	Gallagher	Kullman	Roche
Boland	Dillon	Glaser	Mahar	Sage
Brennen J F	Donnelly	Graney	Meyer G W	Sanford
Brown	Egan	Green	Mullaney	Schultz
Cain	Farrell	Griggs	Palmer	Streifler
Chanler	Finn	Harburger	Phillips	Van Hoesen
Collins	Fitzgerald	Hoffman	Pickett	Weill
Crabtree	Fritz	Hubbard	Redington	Wright
Cullen	Gale			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill (No. 807) entitled "An act to authorize the construction and maintenance of bicycle paths or wheelways within the limits of the highways in Columbia county" (Rec. No. 278), was read the first time.

On motion of Mr. Hoes, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Hoes, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Harburger	McLaughlin	Seligsberg
Addis	DeGraw	Hatch	Miles	Shoeneck
Adler	Delaney	Hays	Miller	Simmons
Allds	Donnelly	Hoes	Mohring	Sinsheimer
Axtell	Dutton	Hoffman	Mullany	Sloan
Baker	Egan	Hubbard	Murray	Smith E LaG
Boland	Eldridge	Hutton	Myers J C	Stoneman
Bondy	Ellis	Ives	O'Connor	Streifler
Brennen J F	Farrell	Johnson	Oliver	Taylor
Brewster	Finn	Kelly	Palmer	Tiffany
Brown	Fish	Kelsey	Patton	Tompkins
Burr	Fordyce	Kullman	Peterson	Tremper

Chanler	Fritz	Litchard	Phillips	Van Hoesen
Clark C J	Fuller	Lowenthal	Pickett	Van Rens'aer
Collins	Gallagher	Mahar	Pierce	Vincent
Costello	Gibney	Maloney	Raplee	Wallace
Cottle	Glaser	Marshall	Reisert	Weekes
Coughtry	Graney	Martin	Roche	Weill
Cowles	Green	Mason	Sage	Wicke
Cross	Griggs	McEwan	Sanford	Williams
Cullen	Guider	McGuire	Schmid F	Witter
Dale	Haight	McKeown	Schulum	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That Senate bill No. 306, entitled "An act relating to and to further amend chapter 339 of the Laws of 1892, entitled 'An act to regulate, improve and enlarge Park avenue above One Hundred and Sixth street in the city of New York, and providing for the passage of intersecting streets, under the railroad structure of the New York and Harlem Railroad Company, and for the elevating of said railroad structure, and for changing the grade of said railroad, and for the construction of a new railroad bridge at an increased elevation over the Harlem river, and providing for all changes in any avenues, streets, or railroads that may be necessary by reason of such change in structure and grade and increased elevation bridge, and for other purposes,' as amended by chapter 548 of the Laws of 1894, and by chapter 594 of the Laws of 1896, and transferring all the powers of 'the board for the Park avenue improvement above One Hundred and Sixth street' to the commissioner of highways of The City of New York on and after the 10th day of March, 1898" (Rec. No. 46), be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read in words following:

IN SENATE, *March 23, 1898.*

Pursuant to concurrent resolution of the Senate and Assembly, the mayor of the city of Buffalo returned the Senate bill (No. 886)

"An act to amend chapter 105 of the Laws of the year 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to justices of the peace" (Rec. No. 68).

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Siebert and by unanimous consent the same was amended as follows:

Page 2, line 5, strike out the word "justice" and insert the words "board of justices."

Same page, line 6, strike out the word "board" after the word "police."

Same page, line 9, insert a period in place of the comma and commence the word "as" with a capital "A."

Same page, line 11, strike out the words "each district" and insert the words "the several districts."

Page 4, line 13, insert after the word "removed" the words "or suspended," and after the word "office" insert the words "for misconduct in office or neglect of duty."

Same page, line 14, strike out the words "appellate division of the" and also the words "as prescribed by," and in line 15, the words "the code of criminal procedure." In line 14, after the word "court" insert the words "at any special term thereof held in Erie county. The grounds for such suspension or removal shall be stated in the order thereof, and no removal shall be made without reasonable notice to the justice complained of and an opportunity given him to be heard in his defense, as prescribed by the code of criminal procedure."

Page 5, lines 9 and 10, strike out the words "when court is being held shall act as clerks of the court and shall" and insert in lieu thereof the words, "whose duty it shall be to act as clerks of the court when a session thereof is being held and."

Said bill as amended was reprinted, re-engrossed and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Hill moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hachemeis'r	McLaughlin	Schulum
Addis	Dale	Haight	Miles	Sears
Adler	Davis	Hanna	Miller	Seligsberg
Allds	DeGraw	Harburger	Mohring	Simmons
Armstrong	Delaney	Hays	Mullany	Sinsheimer
Axtell	Dillon	Hill	Murphy	Sloan
Baker	Donnelly	Hoes	Myers J C	Smith E L a G
Boland	Dutton	Hoffman	O'Connor	Stedman
Bondy	Egan	Holbert	Oliver	Stoneman
Brennan E C	Ellis	Hubbard	Paris	Streifler
Brennen J F	Evarts	Hutton	Patton	Sullivan
Brewster	Farrell	Ives	Peterson	Taylor
Brown	Finn	Johnson	Phillips	Tiffany
Burr	Fish	Kelly	Pickett	Tompkins
Cain	Fitzgerald	Kelsey	Post	Tremper
Chanler	Fordyce	Kullman	Raplee	Van Hoesen
Clark A L	Fuller	Litchard	Redington	Van Rens'aer
Clark C J	Gale	Lowenthal	Reisert	Vincent
Collins	Gallagher	Mahar	Roche	Vroman
Costello	Glaser	Maloney	Russell	Weekes
Cottle	Goodsell	Marshall	Sage	Whipple
Coughtry	Graney	Mason	Sanford	Wicke
Cowles	Green	Matteson	Schmid A F	Witter
Crabtree	Griggs	McGuire	Schmid F	Wright
Cross	Guider	McKeown	Schultz	

Said bill as amended was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three fifths being present.

{ AYES 120 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hoes	Mohring	Shoeneck
Addis	DeGraw	Hoffman	Murphy	Simmons
Adler	Dillon	Hubbard	Murray	Sinsheimer
Armstrong	Donnelly	Hutton	Myers J C	Sloan

Axtell	Dutton	Ives	Nixon	Smith E LaG
Baker	Eldridge	Johnson	Oliver	Stedman
Boland	Ellis	Kelly	Palmer	Stoneman
Brennan EC	Farrell	Kelsey	Paris	Streifler
Brennen J F	Finn	Kullman	Patton	Sullivan
Brewster	Fitzgerald	Laimbeer	Peterson	Ten Eyck
Brown	Fordyce	Litchard	Phillips	Tiffany
Burr	Fritz	Mahar	Pickett	Trainor
Cain	Fuller	Marshall	Post	Tremper
Chanler	Gallagher	Maloney	Raplee	Van Hoesen
Clark A L	Gibney	Martin	Redington	Van Rens'aer
Clark C J	Glaser	Mason	Reisert	Vroman
Collins	Goodsell	Matteson	Roche	Wallace
Costello	Green	McEwan	Russell	Weekes
Coughtry	Greenwood	McGuire	Sanford	Whipple
Cowles	Griggs	McLaughlin	Schmid A F	Wicke
Crabtree	Hachemeis'r	Meyer G W	Schmid F	Williams
Cross	Hanna	Miles	Schulum	Witter
Cullen	Hatch	Miller	Sears	Wright
Dale	Hays	Mitchell	Seligsberg	Zimmerman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly had reconsidered its vote on the final passage of said bill and, as amended, had again passed the same.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same :

“An act to amend the Village Law, relating to lien of assessment for local improvements.” (No. 812, Int. No. 722.)

“An act to amend chapter 15 of the Laws of 1843, entitled ‘An act to incorporate the Westfield Cemetery Association,’ in relation to the establishment of a permanent fund.” (No. 1189, Int. No. 985.)

“An act to amend section 743 of the Code of Civil Procedure, relative to decrees for payment and distribution of estates of decedents.” (No. 1230, Int. No. 628.)

“An act to amend chapter 10 of the Laws of 1859, entitled ‘An act to amend an act entitled An act to revise, amend and consolidate the several acts relating to the village of Whitesborough,’ as amended by chapter 539 of the Laws of 1884, relative to fixing the boundary lines of said village.” (No. 1512, Int. No. 880.)

“An act to empower the board of supervisors of Rensselaer county to make an appropriation annually for the benefit of the Mohawk and Hudson River Humane Society.” (No. 1273, Int. No. 1028.)

"An act declaring the East brook, a tributary of the easterly branch of the Saint Regis river, a public highway for the floating of logs and shingle bolts." (No. 1325, Int. No. 1044.)

"An act to amend the Banking Law, in relation to the incorporation of building and lot associations." (No. 1022, Int. No. 69.)

"An act to amend the Highway Law, in relation to the assessment for unperformed labor." (No. 861, Int. No. 335.)

"An act to legalize and confirm the official acts of a notary public." (No. 212, Int. No. 212.)

"An act to divide the county of Dutchess into two school commissioner districts." (No. 1049, Int. No. 878.)

"An act to provide for the construction and maintenance of a lift or hoist bridge over the Erie canal at Peterboro street, in the village of Canastota, Madison county, New York, and making an appropriation therefor." (No. 1503, Int. No. 201.)

"An act to amend the Election Law, relating to the designation of places of registry and voting in towns." (No. 393, Int. No. 380.)

"An act to amend section 2863 of the Code of Civil Procedure, relative to rooms in which justices' courts may be held." (No. 1015, Int. No. 655.)

"An act to provide for the appointment of clerks to certain justices of the Supreme Court in the sixth and seventh judicial districts." (No. 1500, Int. No. 1084.)

"An act to amend the Railroad Law, and the acts amendatory thereof, relative to interlocking switch and signal devices." (No. 1157, Int. No. 270.)

"An act to amend the Railroad Law, and the acts amendatory thereof, generally." (No. 1278, Int. No. 698.)

"An act to amend the County Law, as amended by chapters 150 and 718 of the Laws of 1895, relating to sheriffs' office; time of keeping open." (No. 1136, Int. No. 942.)

"An act to annex the towns of Stony Creek and Thurman to the first school commissioner's district of Warren county." (No. 1047, Int. No. 875.)

"An act to amend chapter 160 of the Laws of 1895, entitled "An act to revise, amend and consolidate the several acts relating to the village of Lansingburgh." (No. 643, Int. No. 596.)

"An act to provide for the holding of annual town meetings and

elections in the towns in the county of Putnam." (No. 42, Int. No. 42.)

"An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof." (No. 390, Int. No. 377.)

"An act to amend the Town Law, in relation to the qualification of assessors." (No. 916, Int. No. 789.)

"An act to legalize and confirm the vote of the annual town meeting of the town of Portland, Chautauqua county, held on the 15th day of February, 1898, appropriating the sum of \$1,700 for the purchase of a soldiers' monument." (No. 1268, Int. 1023.)

"An act to amend chapter 342 of the Laws of 1889, entitled "An act to revise, amend and consolidate the several acts relating to the village of Cortland and to repeal certain acts and parts of acts," in relation to the assessment of taxes for the maintenance and repairs of sewers." (No. 1190, Int. No. 986.)

"An act to amend the Highway Law, relating to the removal of stone from highways." (No. 1277, Int. No. 346.)

"An act to change the boundaries of the school commissioners' districts in the county of Broome." (No. 1170, Int. No. 966.)

"An act to amend section 3314 of the Code of Civil Procedure, relative to fees of jurors." (No. 367, Int. No. 360.)

"An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, relative to shellfish." (No. 929, Int. No. 802.)

"An act to amend chapter 125 of the Laws of 1861, entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' and the act amendatory thereof." (No. 1155, Int. No. 774.)

"An act to amend section 8 of chapter 137 of the Laws of 1842, entitled 'An act in relation to common schools in the city of Utica,' as amended by chapter 243 of the Laws of 1877, chapter 15 of the Laws of 1889, and by chapter 1032 of the Laws of 1895, in relation to moneys to be raised for fuel and contingent expenses." (No. 1364, Int. No. 948.)

"An act to amend sections 1081 and 1127 of the Code of Civil Procedure, in relation to veterinary surgeons." (No. 283, Int. No. 276.)

"An act to amend chapter 114 of the Laws of 1869, entitled 'An act to amend An act to consolidate and amend the several acts

relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' passed April 3, 1861." (No. 1156, Int. No. 775.)

"An act to amend the Fisheries, Game and Forest Law, in relation to web-footed wild fowl in Kings, Queens and Suffolk counties." (No. 631, Int. No. 584.)

"An act exempting Clinton county from certain provisions of the Highway Law, relative to commissioners appointed for the purpose of laying out highways." (No. 836, Int. No. 742.)

"An act for the relief of William S. Wynn and James C. Wynn." (No. 1252, Int. No. 1007.)

"An act to amend the Fisheries, Game and Forest Law, to provide for granting franchises for shell-fish cultivation in Long Island sound, in Suffolk county." (No. 1234, Int. No. 770.)

"An act to amend the Fisheries, Game and Forest Law, relating to the taking of bass in the waters of the Salmon river and the Saint Regis river, situated in the towns of Fort Covington and Bombay, in Franklin county." (No. 659, Int. 608.)

"An act to amend chapter 398 of the Laws of 1876, entitled 'An act to provide for the election and compensation of coroners in the county of Rensselaer.'" (No. 965, Int. No. 830.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act authorizing the board of estimate and apportionment of the city of New York to appropriate the sum of \$35,000 to aid in the erection of a monument in memory of the martyrs who perished in the prison ships in New York harbor during the war of the revolution." (No. 57, Int. No. 57.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of The City of New York.

"An act to amend chapter 65 of the Laws of 1890, entitled 'An act to incorporate the city of Gloversville,' and the several acts amendatory thereof." (No. 1178, Int. No. 974.)

Ordered that the Clerk transmit a certified copy thereof to the mayor of the city of Gloversville.

"An act to provide for the transfer to the treasurer of the city of Rochester of certain powers of the commissioners of sewerage for the Tenth, Fifteenth and Twentieth wards in the city of Rochester and the town of Gates, Monroe county." (No. 187, Int. No. 187.)

Ordered that the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

“An act in relation to unpaid taxes, water rates and rents in that part of The City of New York constituting the city of Long Island City prior to January 1, 1898.” (No. 285, Int. No. 278.)

Ordered that the Clerk transmit a certified copy thereof to the mayor of The City of New York.

“An act concerning the readjustment, settlement and collection of arrearages of unpaid city and school taxes and assessments for local improvements in the city of Gloversville, and to enforce the payment thereof.” (No. 1177, Int. No. 973.)

Ordered that the Clerk transmit a certified copy thereof to the mayor of the city of Gloversville.

“An act to amend chapter 66 of the Laws of 1850, entitled “An act in relation to common schools in the city of Utica,” as amended by chapter 115 of the Laws of 1867, and by chapter 243 of the Laws of 1887, and by chapter 998 of the Laws of 1895, in relation to moneys to be raised for teachers’ wages.” (No. 1365, Int. No. 949.)

“An act to amend chapter 7 of the Laws of 1846, entitled “An act in relation to common schools in the city of Utica.” (No. 1017, Int. No. 464.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Utica.

“An act in relation to the opening of the highway or avenue known as Prospect avenue, in the late town of Flatbush, Kings county, formerly a part of the city of Brooklyn, now a part of The City of New York.” (No. 35, Int. No. 35.)

“An act in relation to the construction, maintenance and operation of railroads upon East Eighteenth street, in the borough of Brooklyn, in The City of New York.” (No. 248, Int. No. 246.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of The City of New York.

“An act to amend chapter 535 of the Laws of 1888, entitled “An act to incorporate the city of Middletown.”” (No. 634, Int. No. 587.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Middletown.

“An act in relation to the construction, maintenance and operation of railroads upon East Nineteenth street, in the borough of Brooklyn, in The City of New York.” (No. 442, Int. No. 423.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of The City of New York.

The Senate returned the following entitled bills :

“An act to provide for the publication and distribution of the Fisheries, Game and Forest Laws.” (No. 530, Int. No. 333 ; Senate reprint No. 704.)

“An act making an appropriation for the Craig Colony for Epileptics.” (No. 347, Int. No. 342 ; Senate reprint No. 884.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the Onondaga Pottery Company against the State for damages alleged to have been sustained by said company, and to render judgment therefor.” (No. 647, Int. No. 195 ; Senate reprint No. 910.)

“An act to amend chapter 864 of the Laws of 1895, entitled “An act to incorporate the Pedic Society of the State of New York.” (No. 1074, Int. No. 510 ; Senate reprint No. 908.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the amendments of the Assembly made thereto :

“An act to amend the Fisheries, Game and Forest Law, in relation to eel weirs.” (No. 627, Assembly reprint No. 1580, Rec. No. 139.)

“An act to amend the Legislative Law in relation to printing and to repeal certain acts.” (No. 701, Assembly reprint No. 1475, Rec. No. 146.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills with a message that they have reconsidered their vote by which said bills were passed, and as amended have again passed the same :

“An act to amend the Tax Law, relating to taxation of real property divided by line of tax district.” (No. 1433, Int. No. 456.)

“An act to amend the Tax Law, in relation to sales for non-payment of taxes in Saint Lawrence, Lewis and Oneida counties.” (No. 1415, Int. No. 336.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution recalling from the Governor for the purpose of amendment Assembly bill No. 1179, entitled "An act in relation to the New York State Woman's Relief Corps Home, and making an appropriation therefor" (Int. No. 975), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Miles, from the committee on revision, to which was referred the bill (No. 1754) entitled "An act to amend chapter 415 of the Laws of 1897, entitled An act in relation to labor and constituting chapter 32 of the general laws, by amending sections 2, 61, 110 and 113 thereof, and by adding thereto new sections, to be entitled sections 116 and 117" (Int. No. 998), reported the same with the following recommendation:

Page 2, line 2, strike out the word "or" and insert the words "who works for another for hire. The persons employing any such mechanic, workingman or laborer, whether."

IRA C. MILES,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Ellis, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act to amend chapter 355 of the Laws of 1895, entitled 'An act to incorporate the Children's Aid Society of Rochester.'" (No. 1751, Int. No. 26.)

"An act to authorize The City of New York to rebuild or alter pier 28, East river, in the borough of Manhattan in The City of New York." (No. 1750, Int. No. 1145.)

"An act to amend chapter 58 of the Laws of 1890, entitled 'An act to incorporate the city of Corning,' and the acts amendatory thereof and supplemental thereto." (No. 1749, Int. No. 448.)

"An act to amend the Labor Law, relating to the determination of what constitutes the prevailing rate of wages to be paid to employes on public works." (No. 1718, Int. No. 848.)

"An act to amend chapter 583 of the Laws of 1888, entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn in relation to the department of public buildings, passed May 4, 1894, and the act amendatory of sections 1, 6, 7, 10, 13, 22 and 57 thereof,

passed April 11, 1895, and the act amendatory of sections 24, 46, 55 and 57 thereof, passed May 3, 1895, and the act amendatory of section 24 thereof, passed May 13, 1896, and the act amendatory of section 55 thereof, passed April 21, 1896.'” (No. 1532, Int. No. 1157.)

“An act to amend the Penal Code by inserting therein a new section, to be known as section 619a, relative to the issuing and use of transfer tickets upon street surface railroads.” (No. 1759, Int. No. 523.)

“An act to prevent the evils and abuses in connection with the placing out of children.” (No. 1737, Int. No. 759.)

“An act to provide for the office of inspector of construction, alteration and repairs of public buildings in the county of Kings, and to define certain powers and duties.” (No. 1004, Int. No. 861.)

“An act relative to the bridge over the East river, authorized to be constructed by chapter 789 of the Laws of 1895.” (No. 1443, Int. No. 1109.)

“An act to repeal chapter 200 of the Laws of 1890, entitled ‘An act in relation to the burial or other disposition of dead bodies in the town of Newtown, in the county of Queens.’” (No. 1400, Int. No. 1136.)

“An act permitting non-professional games and sports on Sunday after 1 o'clock in the afternoon in cities of the first class.” (No. 1175, Int. No. 971.)

“An act to provide for the proper labeling of poisonous articles.” (No. 1357, Int. No. 1078.)

“An act changing the name of the Agricultural and Liberal Arts Society of Rensselaer county to the Rensselaer County Agricultural Society and Exposition.” (No. 1561, Int. No. 1202.)

“An act to incorporate Grenell’s Island Park, in the Saint Lawrence river, situated in the town of Clayton, Jefferson county, and to define its boundary, and to provide for its management and control as a summer resort.” (No. 1508, Int. No. 1197.)

“An act to amend the Highway Law, in relation to serving notice of meeting of commissioners to determine the necessity for laying out highways and assess damages” (No. 1644, Int. No. 1228.)

“An act to provide for procuring and distributing game birds.” (No. 931, Int. No. 804.)

“An act to provide for the building of a dam across the Saranac

river at Saranac lake, and making an appropriation therefor." (No. 1562, Int. No. 1203.)

"An act making an appropriation for continuing the acquisition of land in the Adirondack Park." (No. 1188, Int. No. 984.)

"An act to amend chapter 215 of the Laws of 1840, entitled 'An act to incorporate the Atlantic Dock Company,' extending the corporate existence of said company." (No. 1444, Int. No. 1110.)

"An act declaratory of the application of section 504 of chapter 105 of the Laws of 1891." (No. 1449, Int. No. 1115.)

"An act to amend the law relating to unclaimed freight and baggage." (No. 1471, Int. No. 1158.)

"An act to amend the Banking Law, in relation to the investment of the deposits and income of building and loan associations." (No. 993, Int. No. 849.)

"An act to amend the Banking Law, relative to the rate of interest upon deposits in savings banks." (No. 1399, Int. No. 1135.)

"An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' and the acts amendatory thereof, in relation to the powers of the board of trustees." (No. 1395, Int. No. 1131.)

'An act to amend section 68 of article 2 of chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws.'" (No. 1448, Int. No. 1114.)

"An act to amend chapter 125 of the Laws of 1842, entitled 'An act to condense and amend the several acts relating to the village of Albion,' and the several acts amendatory thereof." (No. 1445, Int. No. 1111.)

"An act to amend chapter 33 of the Laws of 1898, entitled 'An act to amend chapter 370 of the Laws of 1897, entitled An act to revise, amend and consolidate the several acts relating to the village of Lancaster and to repeal all acts and parts of acts relating thereto.'" (No. 1540, Int. No. 1178.)

"An act to authorize the board of trustees of the village of Mohawk, in the county of Herkimer, to issue bonds in payment of the existing indebtedness of said village." (No. 1546, Int. No. 1184.)

"An act to confirm and legalize certain concurrent resolutions for printing passed by the Legislature of 1896 and 1897, and certain

printing ordered pursuant to the rules of the Senate and Assembly respectively during the session of 1896, and for extra copies furnished for the use of the Legislature of 1896 and 1897." (No. 1029, Int. No. 889.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Alabama, in the county of Genesee, against the State for damages alleged to have been sustained by said town, and render judgment therefor." (No. 1536, Int. No. 1174.)

"An act to amend the Tax Law, relating to payment of State tax." (No. 1187, Int. No. 983.)

"An act to provide for the improvement of Indian river, by the removal of obstructions and such means as will prevent the overflow of lands." (No. 566, Int. No. 520.)

"An act to authorize the Comptroller of this State to hear and determine the application of the owners of certain lands in Kings county for cancellation of a tax sale and allowing redemption from subsequent tax sales upon paying the amount charged against the same." (No. 695, Int. No. 623.)

"An act to amend the County Law, relating to the designation of newspapers for publication of Session Laws." (No. 1567, Int. No. 1208.)

"An act to amend the Railroad Law." (No. 1542, Int. No. 1180.)

"An act to amend the Stock Corporation Law, in relation to the alteration or extension of business." (No. 1597, Int. No. 1224.)

"An act to amend chapter 589 of the Laws of 1863, entitled 'An act to incorporate the Chateaugay Water Works Company.'" (No. 1563, Int. No. 1204.)

"An act to provide for the support and maintenance of the Woodhaven fire department of the town of Jamaica, borough of Queens, in The City of New York." (No. 1586, Int. No. 1212.)

"An act to provide for the repair of streets, avenues and public places after the completion of public improvements therein." (No. 1593, Int. No. 1219.)

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 22, 1898.**To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment. Assembly bill (No. 1179, Int. No. 975) entitled "An act in relation to the New York State Woman's Relief Corps Home, and making an appropriation therefor."

FRANK S. BLACK.

Mr. Speaker presented the fifty-seventh annual report of the New York State Agricultural Society, which was laid upon the table and ordered printed.

(See Document.)

Mr. Nixon gave notice that he requests that Senate bill (No. 479, Assembly reprint No. 1714), entitled "An act to amend the Public Officers Law" (Rec. No. 194), be referred to the committee on rules to be made a special order.

Mr. Nixon gave notice that he requests that Senate bill (No. 725), entitled "An act making an appropriation for continuing the acquisition of land in the Adirondack Park" (Rec. No. 302), be referred to the committee on rules to be made a special order.

Mr. Johnson gave notice that he requests that Senate bill (No. 998) entitled "An act to amend section 4 of chapter 585 of the Laws of 1865, entitled 'An act to establish the Cornell University and to appropriate to it the income of the sale of public lands granted to this State by Congress on the 2d day of July, 1862; also to restrict the operation of chapter 511 of the Laws of 1863'" (Rec. No. 316), be referred to the committee on rules, to be made a special order.

Mr. Johnson gave notice that he requests that Senate bill (No. 427, Assembly reprint No. 1730) entitled "An act to promote education in forestry, to encourage and provide for the establishment of a college of forestry at Cornell University, and making an appropriation therefor" (Rec. No. 129), be referred to the committee on rules, to be made a special order.

Mr. Miles gave notice that he requests that Senate bill (No. 944) entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State, relating to the care and custody of the insane, the management of the asylums for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy,' relating to transfers from State

hospitals to the Matteawan State Hospital" (Rec. No. 310), be referred to the committee on rules, to be made a special order.

Mr. Speaker gave notice that he requests that Senate bill (No. 675, Assembly reprint No. 1720) entitled "An act to amend the Code of Criminal Procedure, relative to proceedings respecting the support of poor persons" (Rec. No. 182), be referred to the committee on rules, to be made a special order.

Mr. Martin gave notice that he requests that Senate bill (No. 901) entitled "An act directing the Adjutant-General to deliver the battle flags of the Ninety-seventh Regiment of New York State Volunteers to the trustees or managers of the Munson Williams Memorial Hall of Utica" (Rec. No. 277), be referred to the committee on rules, to be made a special order.

Mr. Perkins gave notice that he requests that Senate bill (No. 915) entitled "An act to legalize certain assessments" (Rec. No. 283), be referred to the committee on rules, to be made a special order.

Mr. Allds gave notice that he requests that Senate bill (No. 31) entitled "An act regarding sales of real property under judgments for the partition and sale of real property, heretofore made, to guardians in socage of infant parties to actions" (Rec. No. 308), be referred to the committee on rules, to be made a special order.

Mr. Nixon gave notice that he requests that the bill (No. 1779) entitled "An act to amend the Town Law and the Election Law authorizing the board of supervisors of each county to provide for the holding of town meetings at the time of the general elections" (Int. No. 1320), be referred to the committee on rules, to be made a special order.

Mr. Taylor gave notice that he requests that the bill (No. 1772) entitled "An act to reappropriate certain unexpended balances of former appropriations" (Int. No. 1305), be referred to the committee on rules, to be made a special order.

Mr. Taylor gave notice that he requests that the bill (No. 494) entitled "An act to provide the means, and making appropriations to pay the expenses of superintendence, maintenance and ordinary repairs of the canals for the fiscal year beginning on the 1st day of October, 1898" (Int. No. 463), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests that the bill (No. 1737) entitled "An act to prevent evils and abuses in connection with the

placing out of children" (Int. No. 759), be referred to the committee on rules, to be made a special order.

Mr. Weekes gave notice that he requests that the bill (No. 1624) entitled "An act to amend an act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof" (Int. No. 1261), be referred to the committee on rules, to be made a special order.

Mr. Haight gave notice that he requests that the bill (No. 1789) entitled "An act to amend the Fisheries, Game and Forest Law, relative to fishing for, catching or killing black bass, Oswego bass, pickerel, pike or wall-eyed pike, close season" (Int. No. 1401), be referred to the committee on rules, to be made a special order.

Mr. Chanler gave notice that he requests that Senate bill (No. 936) entitled "An act relative to the bridge over the East river authorized to be constructed by chapter 789 of the Laws of 1895" (Int. No. 657), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests that the bill (No. 1591) entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' and the several acts amendatory thereof" (Int. No. 1217), be referred to the committee on rules, to be made a special order.

Mr. Wallace gave notice that he requests that the bill (No. 1755) entitled "An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens" (Int. No. 810), be referred to the committee on rules, to be made a special order.

Mr. Nixon gave notice that he requests that the bill (No. 1187) entitled "An act to amend the Tax Law, relating to payment of State tax" (Int. No. 983), be referred to the committee on rules, to be made a special order.

Mr. Perkins gave notice that he requests that Senate bill (No. 234, Assembly reprint No. 1751) entitled "An act to amend chapter 355 of the Laws of 1895, entitled 'An act to incorporate the Children's Aid Society of Rochester'" (Rec. No. 26), be referred to the committee on rules, to be made a special order.

Mr. Hill gave notice that he requests that the bill (No. 1653) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof and supplementary thereto, in relation to taxes" (Int. No. 499), be referred to the committee on rules, to be made a special order.

Mr. Cross gave notice that he requests that the bill (No. 1749) entitled "An act to amend chapter 58 of the Laws of 1890, entitled 'An act to incorporate the city of Corning,' and the acts amendatory thereof and supplemental thereto" (Int. No. 448), be referred to the committee on rules, to be made a special order.

Mr. Evarts gave notice that he requests that the bill (No. 1445) entitled "An act to amend chapter 125 of the Laws of 1842, entitled 'An act to condense and amend the several acts relating to the village of Albion,' and the several acts amendatory thereof" (Int. No. 1111), be referred to the committee on rules, to be made a special order.

Mr. Sears gave notice that he requests that the bill (No. 1562) entitled "An act to provide for the building of a dam across the Saranac river, at Saranac lake, and making an appropriation therefor" (Int. No. 1203), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests that Senate bill (No. 934) entitled "An act to incorporate the city of New Rochelle" (Rec. No. 508), be referred to the committee on rules, to be made a special order.

Mr. Fitzgerald gave notice that he requests that the bill (No. 1595) entitled "An act to incorporate the Merchants' Transportation and Storage Company" (Int. 1221), be referred to the committee on rules, to be made a special order.

Mr. Delaney gave notice that he requests that the bill (No. 1376) entitled "An act to amend the Labor Law, relating to the designation of deputy factory inspectors for the enforcement of provisions of such law concerning the employment of labor on public works" (Int. No. 1090), be referred to the committee on rules, to be made a special order.

Mr. Johnson gave notice that he requests that the bill (No. 1765) entitled "An act to provide for an investigation into the causes of contagious abortion in cows and the best means of its prevention in

"the dairy herds of the State" (Int. No. 1297), be referred to the committee on rules, to be made a special order.

Mr. Kelsey gave notice that he requests that the bill (No. 1326) entitled "An act amending the Public Health Law, in relation to the appraisal of horses affected with glanders, and the compensation to owners thereof for such horses killed pursuant to law" (Int. No. 1045), be referred to the committee on rules, to be made a special order.

Mr. Adler gave notice that he requests that the Senate bill (No. 150) entitled "Concurrent resolution, proposing an amendment to section 2 of article 6 of the Constitution" (Rec. No. 63), be referred to the committee on rules, to be made a special order.

Mr. Tompkins gave notice that he requests that Senate bill (No. 851) entitled "An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof, by establishing a board of fire commissioners, and by fixing the salaries of various city officers and otherwise" (Rec. No. 236), be referred to the committee on rules, to be made a special order.

Mr. Alls gave notice that he requests that Senate bill (No. 631) entitled "An act to incorporate the New York Realty Bond, Exchange and Trust Company" (Rec. No. 76), be referred to the committee on rules, to be made a special order.

Mr. Cullen gave notice that he requests that the bill (No. 1444) entitled "An act to amend chapter 215 of the Laws of 1840, entitled 'An act to incorporate the Atlantic Dock Company,' extending the corporate existence of said company" (Int. No. 1110), be referred to the committee on rules, to be made a special order.

Mr. Roche gave notice that he requests that the bill (No. 791) entitled "An act to prevent the use of prison manufactures in the public schools" (Int. No. 706), be referred to the committee on rules, to be made a special order.

Mr. Reisert gave notice that he requests that the bill (No. 1253) entitled "An act relating to the discontinuance of proceedings for the improvement of certain streets in the Twenty sixth ward of the late city of Brooklyn" (Int. No. 1008), be referred to the committee on rules, to be made a special order.

Mr. Gale gave notice that he requests that Senate bill (No. 506), entitled "An act in relation to local improvement bonds of the late

town of Gravesend" (Rec. No. 99), be referred to the committee on rules, to be made a special order.

Mr. Nixon gave notice that he requests that Senate bill (No. 549), entitled "An act to provide for the election of successors to town officers of the town of Wheatfield, county of Niagara, residing within the city of North Tonawanda" (Rec. No. 93), be referred to the committee on rules, to be made a special order.

Mr. Maloney gave notice that he requests that the bill (No. 1509) entitled "An act to amend the Labor Law, in relation to stone used in State or municipal works" (Int. No. 1198), be referred to the committee on rules, to be made a special order.

Mr. Adler gave notice that he requests that Senate bill (No. 919) entitled "An act to authorize the Court of Claims to hear, audit and determine alleged claims for military uniforms and repairs thereto for the National Guard of the State of New York, and to make an award therefor" (Int. No. 405), be referred to the committee on rules, to be made a special order.

Mr. Trainor gave notice that he requests that Senate bill (No. 695) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to clerk to sign warrants" (Int. No. 191), be referred to the committee on rules, to be made a special order.

Mr. Glaser gave notice that he requests that the bill (No. 1263) entitled "An act to provide a tax budget and to levy taxes in that portion of The City of New York heretofore known as Long Island City" (Int. No. 1018), be referred to the committee on rules, to be made a special order.

Mr. August F. Schmid gave notice that he requests that the bill (No. 717) entitled "An act relating to the repavement of Berry street, in the borough of Brooklyn, City of New York, and the payment thereof" (Int. No. 645), be referred to the committee on rules, to be made a special order.

Mr. Cowles gave notice that he requests that the bill (No. 1763), entitled "An act to incorporate the Electric Water Power Com-

pany of Oneonta, Otsego county" (Int. No. 1295), be referred to the committee on rules, to be made a special order.

Mr. Peterson gave notice that he requests that the bill (No. 1332) entitled "An act to provide for pensioning policemen, after twenty years of service, in cities of the third class" (Int. No. 1051), be referred to the committee on rules, to be made a special order.

Mr. A. L. Clark gave notice that he requests that Senate bill (No. 986) entitled "An act declaring Independence creek or river, in the counties of Lewis and Herkimer, a public highway, and providing means for the assessment of damages to riparian owners thereof" (Rec. No. 298), be referred to the committee on rules, to be made a special order.

Mr. Hoes gave notice that he requests that the bill (No. 1527) entitled "An act to incorporate the Jansen-Kil Electric Power Company, of Hudson, Columbia county, New York" (Int. No. 955), be referred to the committee on rules, to be made a special order.

Mr. Donnelly gave notice that he requests that Senate bill (No. 742) entitled "An act in relation to license fees for public exhibitions and for the payment of a part thereof to the Actors' Fund of America" (Int. No. 189), be referred to the committee on rules, to be made a special order.

Mr. Donnelly gave notice that he requests that Senate bill (No. 894) entitled "An act to provide for the payment of compensation to Rufus G. Beardslee, for services as counsel to the board of education of The City of New York, and authorizing the board of estimate and apportionment of The City of New York to audit and allow the amount that may be justly due" (Rec. No. 300), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests that Senate bill (No. 950) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city'" (Rec. No. 319), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests that Senate bill (No. 978) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city' and the several acts amendatory thereof" (Rec. No. 318), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests that Senate bill (No. 975) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof" (Rec. No. 320), be referred to the committee on rules, to be made a special order.

Mr. Perkins gave notice that he requests that Senate bill (No. 72) entitled "An act making an appropriation for the construction of a bridge over the Erie canal, at Main street, in the village of Pittsford" Rec. No. 72), be referred to the committee on rules, to be made a special order.

Mr. Delaney gave notice that he requests that the bill (No. 1738) entitled "An act to amend section 3228 of the Code of Civil Procedure, relating to costs to which the plaintiff is entitled of course" (Int. No. 189), be referred to the committee on rules, to be made a special order.

Mr. Mitchell gave notice that he requests that bill (No. 1593), entitled "An act to provide for the repair of streets, avenues and public places after the completion of public improvements therein" (Int. No. 1219), be referred to the committee on rules, to be made a special order.

Mr. Sanford gave notice that he requests that bill (No. 617), entitled "An act to amend chapter 710 of the Laws of 1895, entitled 'An act to establish the office of comptroller in the city of Mount Vernon, providing for the appointment of such officer and defining his rights and duties'" (Int. No. 572), be referred to the committee on rules, to be made a special order.

On motion of Mr. Nixon the House adjourned to meet to-morrow morning at 10.30 o'clock.

THURSDAY, MARCH 24, 1898.

The House met pursuant to adjournment.

Prayer by Rev. C. W. Hardendorf.

On motion of Mr. Graney the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker from the committee on rules, to which was referred

the bill (No. 568) entitled "An act to change the name of the 'Brooklyn Throat Hospital'" (Int. No. 522), reported in favor of the following substitute bill, and that the same be printed and recommitted to said committee:

AN ACT to change the name and enlarge the powers of the "Brooklyn Throat Hospital."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The name of the "Brooklyn Throat Hospital," a charitable corporation organized under chapter three hundred and nineteen of the laws of eighteen hundred and forty-eight, entitled "An act for the incorporation of benevolent, charitable, scientific and missionary societies," and the acts amendatory thereof, the certificate of incorporation of which was filed in the office of the secretary of state on the twenty-sixth day of April, eighteen hundred and eighty-nine, is hereby changed to the "Williamsburgh Hospital" and, as such, shall enjoy and exercise all the rights and powers that it has heretofore possessed and be subject to the same liabilities, obligations and duties as if this act had not passed, including the rights and powers, liabilities, obligations and duties appertaining to said Brooklyn Throat Hospital, under the provisions of chapter 878, Laws of 1897, being the Greater New York Charter. In addition to the powers already possessed by such corporation it may furnish medical and surgical treatment for all diseases.

§ 2. This act shall take effect immediately.

Which report was agreed to, and said substitute bill ordered printed and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 930) entitled "An act to amend the Tax Law, relating to the taxation of corporations for State purposes" (Rec No. 760), reported in favor of the passage of the same with the following amendments, and that the same be reprinted and recommitted to said committee.

Page 6, lines 25 and 26, strike out the words "to the extent of the valuation of the personal property included in the capital taxed under this article."

Page 7, line 2, change the period to a comma, and insert the words "but if such corporation is taxed on its capital under section one hundred and eighty two of this chapter, such exemption shall only be to the extent of the valuation of the personal property included in the capital taxed under this article."

Page 6, line 22, after the word "tax" insert the words "or of a fire, marine or casualty corporation of another state exempted from a tax on its gross premiums under section one hundred and eighty-seven."

Which report was agreed to, and said bill ordered reprinted, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 889) entitled "An act to regulate the use of certain slips, piers and wharves on the East river, in The City of New York" (Rec. No. 255), reported in favor of the passage of the same with the following amendment, and that the same be reprinted and made a special order on second and third reading.

Page 1, line 2, strike out the word "west" and insert the word "east."

Which report was agreed to and said bill ordered reprinted and made a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 1483) entitled "An act to provide for the completion of the State armory and drillroom at Walton, New York, and making an appropriation therefor" (Int. No. 1170), reported in favor of the passage of the same with the following amendment, and that the same be reprinted and made a special order on second and third reading.

Page 1, line 1, strike out the word "ten" and insert in lieu thereof the word "six."

Which report was agreed to and said bill ordered reprinted and made a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 683) entitled "An act to provide for the extraordinary repairs and improvement of existing mechanical and other structures and work on and connected with the canals of the State" (Int. No. 611), reported in favor of the passage of the same with the following amendment, and that the same be reprinted and made a special order on second and third reading.

Page 1, line 3, strike out the word "eight" and insert the word "seven."

Which report was agreed to and said bill ordered reprinted and made a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred the concurrent resolution (No. 309) entitled "Concurrent resolution proposing an amendment to the Constitution, relative to canals"

(Int. No. 304), reported in favor of the passage of the following substitute bill, and that the same be printed and made a special order on second and third reading :

Concurrent resolution to amend section eight of article seven of the constitution of the state of New York.

Resolved (if the Senate concur), That section eight of article seven of the Constitution be amended so as to read as follows :

Section 8. The legislature shall not sell, lease or otherwise dispose of the Erie canal, the Oswego canal, the Champlain canal, the Cayuga and Seneca canal, or the Black River canal ; but they shall remain the property of the State and under its management forever. The prohibition of lease, sale or other disposition herein contained, shall not apply to the canal known as the Main and Hamburg Street canal, situated in the city of Buffalo, and which extends easterly from the westerly line of Main street to the westerly line of Hamburg street ; nor shall such prohibition apply to the sale, lease or other disposition of said canals, or either of them to the United States upon such terms as may be mutually agreed upon, and upon the express condition that the United States shall improve, maintain and operate the same as a free public waterway, and, in case of failure by the United States so to do, that the said canals, or either of them, together with all improvements made thereon, shall revert to and again become the property of the state of New York. All funds that may be derived from any lease, sale or other disposition of any canal shall be applied to the improvement, superintendence or repair of the remaining portion of the canals.

Which report was agreed to, and said substitute bill ordered printed and made a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 1299) entitled "An act to incorporate the Niagara River Tramway Company" (Int. No. 386), reported in favor of the passage of the same with the following amendment, and that the same be reprinted and made a special order on second and third reading :

Page 1, line 8, strike out words "and Erie."

Which report was agreed to, and said bill ordered reprinted and made a special order on second and third reading.

Mr. Speaker from the committee on rules, to which was referred Senate bill (No. 724) entitled "An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the

enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir" (Rec. No. 272), reported in favor of the passage of the same with the following amendments and that the same be reprinted and made a special order on second and third reading :

Page 6, line 8, strike out the words "A more" and insert "As far as practicable an".

Same page, line 16, after the word "constructed" insert "of masonry."

Same page, line 23, after the word "Tributaries" insert "within one mile of the mouth of each of such tributaries."

Page 7, after line 11, insert "within one mile of the mouth of each of such tributaries."

Same page, line 18, after the word "tributaries," strike out "or otherwise" and insert "within one mile of the mouth of each of such tributaries".

Page 8, line 21, after the word "tributaries" insert "within one mile of the mouth of each of such tributaries".

Page 9, after line 5, insert "State, Municipal or".

Same page, line 6, after the word "or" strike out the words "any private right."

Same page, line 14, after the word "and" insert "pay for the same in cash or".

Same page, line 15, strike out the word "the" and insert the word "any".

Page 10, line 20, after the word "tributaries" insert "within one mile of the mouth of each of such tributaries."

Page 16, line 19, after the word "the" insert the words "abutting owners".

Page 18, line 19, after the word "water" insert "and said corporation shall, without expense to the state, at the opening of each canal season furnish water needed to fill the Erie canal for navigation purposes, and also during the same canal season further needed water for the canal, not exceeding one thousand five hundred million cubic feet. Said corporation shall be entitled to receive from the state for any additional water, compensation to be agreed upon between such corporation and the state superintendent of public works. If after filling the canal in the spring the corporation does not furnish for the canal one thousand five hundred million cubic feet of water during the same canal season the portion thereof not so used shall be credited to the canal as against said corporation and set off against any excess of one thousand five hundred millions cubic feet used in any succeeding year; but the total amount which may be used by the state without compensation in any one year after filling the canal at the opening of the season, including such

credit, shall not exceed two thousand five hundred million cubic feet."

On page 18, strike out all of line 19, after the "water" and strike out all of lines 20, 21, 22, 23, 24, 25 and 26.

On page 19, strike out lines 1, 2, 3, 4 and 5

Same page, strike out all of line 12, after the word "dissolve." Strike out all of lines 13 and 14 and the first word "years" in line 15.

Which report was agreed to, and said bill ordered reprinted and made a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred Senate bill (No. 933) entitled "An act in relation to the estate of insolvent debtors" (Rec. No. 314), reported in favor of the following substitute bill, and that the same be printed and recommitted to said committee:

AN ACT in relation to the estate of insolvent debtors.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

CHAPTER L OF THE GENERAL LAWS.

THE INSOLVENT LAW.

- Article
- I. General provisions.
 - II. Voluntary insolvency.
 - III. Involuntary insolvency.
 - IV. Proceedings to realize the estate for creditors.
 - V. Protection and discharge of insolvents.
 - VI. Proceedings peculiar to partnerships and corporations.
 - VII. Prohibited and fraudulent transfers.
 - VIII. Fees and costs.
 - IX. Miscellaneous.

ARTICLE I.

GENERAL PROVISIONS.

- Section
1. Short title.
 2. Definitions.
 3. To whom applicable.
 4. Courts and their jurisdiction.
 5. Appeals.
 6. Rules and regulations.
 7. What constitutes commencement of proceedings.
 8. Application of code of civil procedure.

Section 1. Short title.—This chapter shall be known as the insolvent law.

§ 2. Definitions.—In this act the word “assignee” and the word “creditor” shall include the plural also, and the word “messenger” shall include his assistant or assistants, except in the provision as to the fees of the officer; the word “person” shall also include “corporation;” the word “oath” shall include “affirmation;” the word “inhabitant” is intended to include all persons and corporations, joint stock companies, copartnerships and voluntary associations who have a regular place of business in this state, or who are required by any statute of this state to make report of their business or property to any state or municipal officer; the word “bankrupt” shall mean “insolvent” and the terms “county court” and “county judge,” as well as the terms “court” and “judge,” shall include all justices of the supreme court in counties containing cities of the first class who shall be designated by the appellate divisions of the departments in which such counties shall be located to perform the duties devolving upon county courts and county judges under this act, and the words intent to hinder, delay or defraud shall include any act which, in its effect, hinders, delays or defrauds creditors.

§ 3. To whom applicable.—This act shall be applicable to individuals, partnerships, joint stock companies, voluntary associations and corporations organized under the laws of the state of New York, and to all corporations organized and existing under the laws of another state and inhabitant of this state.

§ 4. Courts and their jurisdiction.—The county court, as now constituted in each of the counties of this state, shall have original jurisdiction of all matters and proceedings arising under this act. Their jurisdiction shall extend:

1. To all cases and controversies arising between the insolvent debtor and any creditor or creditors who shall claim any debt or demand under the insolvency.

2. To the collection of all the assets of the insolvent.

3. To the ascertainment and liquidation of the liens and other specific claims thereon.

4. To the adjustment of the various priorities and conflicting interests of all parties.

5. To the marshaling and disposition of the different funds and assets so as to secure the rights of all parties and the distribution of the assets among the creditors.

6. To all acts, matters and things to be done under and in virtue of the insolvency, until the final distribution and settlement of the estate of the insolvent, and the close of the proceedings in insolvency.

In counties containing cities of the first class, where there is no county judge, the appellate division of the department in which such counties are located shall designate one or more judges of the supreme court to perform the duties devolving upon county courts and county judges under this act.

§ 5. Appeals.—The right of appeal as now existing under the code of civil procedure is hereby extended to all proceedings under this act, and such appeal shall be entitled to a preference as provided in subdivision three of section seven hundred and ninety-one of the code of civil procedure, but such appeal must be taken within ten days after the entry of the order appealed from; and to render such appeal effectual for any purpose, the appellant must file a written undertaking, with sufficient sureties, to the effect that he will pay all costs and damages which may be awarded against him in the appeal, not exceeding five hundred dollars. The prevailing party upon an appeal shall be entitled to costs against the adverse party, to be taxed and recovered as in suits at law; if allowed against the assignee they shall be allowed out of the estate.

§ 6. Rules and regulations.—Rules and regulations touching the practice and procedure in insolvency proceedings and generally for carrying the provisions of this act into effect, as may be necessary and proper, shall be adopted, and which said rules and regulations shall be uniform as nearly as may be; and for the purpose of framing such rules and regulations, the appellate divisions in the different departments shall designate one of the county judges in such department to act with a like judge to be appointed in the other departments as a committee for the purpose of framing such rules and regulations, and when adopted by such committee they shall be effectual in all of the counties of this state.

§ 7. What constitutes commencement of proceedings.—The filing of the petition for an adjudication in insolvency either by a debtor in his own behalf, or by any creditor against a debtor, shall be deemed to be the commencement of proceedings in insolvency.

§ 8. Application of code of civil procedure.—The code of civil procedure shall apply to all proceedings brought under the provisions of this act, so far as practicable.

ARTICLE II.

VOLUNTARY INSOLVENCY.

Section 11. Who may make petition; schedules to be filed, et cetera.

12. Contents of schedule.

Section 13. Contents of inventory.

14. Verification.

15. Warrant to be issued.

16. The messenger's duties, et cetera.

Section 11. Who may make petition, schedules to be filed, et cetera.—Any person who is an inhabitant of this state, owing debts contracted while such inhabitant, to the amount of two hundred and fifty dollars, may apply by petition to the county judge of the county within which he has last resided, for three consecutive months before the application, if he has resided for that time in any county, otherwise to the county judge of the county in which he resides or has a usual place of business, to be adjudged an insolvent, which petition shall specifically state therein the residence and the kind of business carried on by such debtor at the time of the making of the petition, and the place at which such business shall then be conducted, and if such place be in a city, the street and number thereof, and if in a village or town, such apt designation thereof as shall reasonably identify such debtor, and shall set forth his inability to pay his debts in full, his willingness to surrender all his estate and effects for the benefit of his creditors, and his desire to obtain a discharge from his debts. And he shall annex to his petition a schedule and inventory as set forth in the next two sections. The filing of such petition shall be an act of insolvency, and such petitioner shall be adjudged an insolvent.

§ 12. Contents of schedule.—The said schedule must contain a full and true statement of all his debts, exhibiting as far as possible to whom each debt is due, the post-office address of the creditors, if known to the debtor, and if not known, the fact that it is not known; also the sum due to each creditor; the nature of each debt or demand, whether founded on written security, obligation, or contract, or otherwise; the true cause and consideration of the indebtedness in each case, and the place where such indebtedness accrued; and also a statement of any existing mortgage, pledge, lien or judgment, as collateral or other security given for the payment of the same.

§ 13. Contents of inventory.—The said inventory must contain an accurate statement of all the petitioner's estate, both real and personal, assignable under this act, describing the same, and stating where it is situated, and whether there are any, and, if so, what incumbrances thereon.

§ 14. Verification.—The said petition, schedule and inventory must be verified by the oath of the petitioner, that the same is in all respects just and true, taken before some officer authorized to administer oaths.

§ 15. Warrant to be issued.—Upon the filing of such petition, schedule and inventory, the county judge shall forthwith, if he be satisfied that the allegations of the petition are true, issue a warrant, to be signed by him, directed to a messenger, to be appointed by him, authorizing said messenger to take possession of all the estate, real and personal, of the debtor, except as may be by law exempt from levy and sale, and all his deeds, books of account and papers, and keep the same safely until the appointment of an assignee. The said messenger shall thereupon forthwith serve notice of such application upon the creditors of said debtor, either personally or by mail, or by publication in such newspapers published in the county as the said judge may direct, not exceeding two.

§ 16. Duties of messenger, et cetera.—The messenger shall, as soon as may be possible after his appointment, demand and receive from the debtor and other persons all the estate in his or their possession respectively which is herein ordered to be assigned, with all the deeds, books of account and papers of the debtor relating thereto, and upon such demand being made, the debtor shall forthwith deliver to him such parts of the estate and other things demanded as are within his possession or power, and shall disclose the situation of such parts thereof as are in the possession of any other person, so as to enable the messenger to demand and receive the same. When it appears to the satisfaction of the judge that the estate of the debtor, or any part thereof, is of a perishable nature or likely to deteriorate in value before an assignee can be appointed, he may order the same to be sold in such manner as he deems expedient, under the direction of the messenger, who shall hold the funds received, in place of the estate disposed of.

ARTICLE III.

INVOLUNTARY INSOLVENCY.

Section 21. Who may institute.

22. Security to be given.

23. Proceedings after filing petition.

24. Service of order to show cause.

25. Proceedings on return day.

26. Warrant.

27. Schedules.

28. Proceedings when debtor is absent.

Section 21. Who may institute.—Any one or more creditors whose claims or combined claims, provable against the estate, amount to two hundred and fifty dollars, may institute proceedings in bankruptcy against any person who is an inhabitant of

this state, and who has been a resident, or has had a place of business therein as provided in section eleven of this act, for any one of the following causes:

1. If such person shall depart from this state with intent to defraud his creditors.

2. Or being absent, shall with like intent remain absent.

3. Or shall conceal himself to avoid service of a summons, in any action for the recovery of a debt or demand provable against his estate, under this act, or keeps himself concealed therein with like intent.

4. Or shall conceal or remove any of his property from the state, with intent to defraud his creditors, or to avoid its being attached, taken or sequestered on legal process; or has assigned, disposed of or secreted property with like intent.

5. Or shall make any assignment, gift, sale, conveyance or transfer of his estate, property, rights or credits, either within this state or elsewhere, with intent to hinder, delay or defraud his creditors.

6. Or against whom an execution issued upon a judgment founded upon a demand provable in its nature against the insolvent's estate under this act, and for a sum exceeding two hundred and fifty dollars, remains unsatisfied and unpaid or unstayed for a space of twenty days after the same is issued.

7. Or who being insolvent, or in contemplation of insolvency, shall make any payment, gift, grant, sale, conveyance or transfer of money or other property, rights, estates or credits, or confess judgment, or give any warrant to confess judgment, or procure his property to be taken on legal process with intent to give a preference to one or more of his creditors, or to any person or persons who are or may be liable for him as endorser, bail, sureties, or otherwise, with the intent by such disposition of his property, to defeat or delay the operation of this act.

8. Or who, being a banker, broker, merchant, trader, manufacturer, builder, contractor or miner, has fraudulently stopped payment.

9. Or who being a banker, broker, merchant, trader, manufacturer, builder, contractor or miner has stopped or suspended and not resumed payment, within a period of thirty days of his commercial paper made or passed in the course of business as such.

Provided, however, that such petition is brought within ninety days after such act of insolvency shall be committed.

§ 22. Security to be given.—The judge, before granting the order to show cause as provided for in the next section, must require a written undertaking, on the part of the petitioner, with sufficient sureties, to the effect, that if the proceedings are dismissed, the petitioner will pay all costs, which may be awarded

to the debtor, and all damages which he may sustain by reason of the filing of the petition and proceedings had thereunder, not exceeding the sum specified in the undertaking, which must be at least two hundred and fifty dollars.

§ 23. Proceedings after filing petition.—Upon the filing of the petition authorized by the preceding section, if it appears that sufficient grounds exist therefor, the court shall issue an order to show cause at a time and place to be specified in the order, not less than five days from the service thereof, why the prayer of the petition should not be granted. The court may also, by injunction, restrain the debtor, and any person in the meantime from making any transfer or disposition of any part of the debtor's property owned or claimed to be owned by him, not exempt from levy and sale under execution, or from interfering therewith; and if it shall appear that there is probable cause for believing that the debtor is about to leave the county with intent to defraud his creditors, or to remove or conceal his goods and chattels, or his evidences of property, or to make any fraudulent conveyance or disposition thereof, the court may issue a warrant to the sheriff of the county, commanding him to arrest and safely keep the alleged debtor, unless he shall give bail to the satisfaction of the court for his appearance from time to time, as required by the court, until its decision upon the petition, or until its further order, and forthwith to take possession provisionally of all the property and effects of the debtor, and safely keep the same until the further order of the court.

§ 24. Service of order to show cause.—A copy of the petition and order to show cause shall be served on the debtor by delivering the same to him personally, or leaving the same at his last or usual place of abode, with some person of suitable age and discretion, or if the debtor cannot be found, and his place of residence cannot be ascertained, service shall be made by publication in such manner as the judge or court may direct. No further proceedings, unless the debtor appears and consents thereto, shall be had until proof has been given to the satisfaction of the court, of such service or publication, and if such proof is not given on the return day of such order, the proceedings shall be adjourned, and an order made that the notice be forthwith served or published.

§ 25. Proceedings on return day.—On such return day if the notice has been duly served or published, or is waived by the appearance and consent of the debtor, the court shall proceed summarily to hear the allegations of the petition, and may adjourn the proceedings from time to time on good cause shown, and shall, if the debtor on the same day so demands in writing,

order a trial by jury at the first term of the court at which a jury shall be in attendance, to ascertain the fact of the alleged insolvency. And unless upon such hearing or trial, it shall appear to the satisfaction of the court or of the jury, as the case may be, that the facts set forth in said petition are true, the proceedings shall be dismissed with costs or if it shall appear that the debtor shall have satisfied all liens upon his property, in case the existence of such liens was the sole ground of such proceeding, the proceeding shall be dismissed. All proceedings under this act may be discontinued on reasonable notice and hearing, with the approval of the court, and upon the assent in writing, of such debtor and such petitioning creditor, and all parties shall be remitted, in either case, to the same rights and duties existing at the date of the filing of the petition in insolvency, except so far as said estate shall have been already administered and disposed of. And the court shall have power to make all needful orders and decrees to carry the foregoing provisions into effect. If the petitioning creditor does not appear or proceed on the return day, or adjourned day, the court may, upon the application of any other creditor to the required amount, proceed to adjudicate on such petition, without requiring a new service of publication of notice to the debtor.

§ 26. Warrant.—If upon the hearing or trial, the facts set forth in the petition are found to be true, or if upon default made by the debtor to appear, pursuant to the order, due proof of service thereof being made, the court shall adjudge the debtor to be insolvent, and shall forthwith issue a warrant to the messenger to be appointed by it, to take possession of the debtor's estate, as provided in section fifteen of this act, and thereafter such proceedings shall be had as herein provided for the taking possession, assignment and distribution of the property of the debtor upon his own petition.

§ 27. Schedules, et cetera.—The order of adjudication of insolvency shall require the insolvent forthwith, or within a specified time, not exceeding five days after the date of the order, to make and deliver, or transmit to the messenger a schedule of his creditors and an inventory of his estate in the form, and verified in the manner required of a petitioning debtor, and thereupon such proceedings shall be had as provided in section sixteen of this act.

§ 28. Proceedings when debtor is absent.—If the debtor has failed to appear in person, or by attorney, a certified copy of the adjudication shall be forthwith served on him by delivery or publication in the manner provided for the service of the order to show cause; and if the insolvent is absent or cannot be found, such schedule and inventory shall be prepared by the messenger

and the assignee to be appointed from the best information they can obtain.

ARTICLE IV.

PROCEEDINGS TO REALIZE THE ESTATE FOR CREDITORS.

Section 31. Contents of notice to creditors.

32. Messenger's return.
33. Choice of assignee.
34. Who are disqualified.
35. Bond of assignee.
36. Assignee liable for contempt.
37. Resignation of trust.
38. Removal of assignee.
39. Effect of resignation or removal.
40. Filling vacancies.
41. Vesting estate in remaining assignee.
42. Former assignee to execute instruments.
43. Assignments.
44. Exemptions.
45. What property vests in assignee.
46. Right of action of assignee.
47. No abatement by death or removal.
48. Copy assignment conclusive evidence of title.
49. Books of account.
50. Debtor must execute instruments.
51. Trust property.
52. Notice of appointment of assignee and record of assignment.
53. Assignee to demand and receive all assigned estate.
54. Notice prior to suit against assignee.
55. Time of commencing suits.
56. Assignee to deposit money.
57. Assignee to sell property.
58. Sale of disputed property; replevin.
59. Sale of uncollectible assets; continuance of business.
60. Discharge of liens.
61. Provable debts.
62. Contingent debts.
63. Liability of insolvent as surety.
64. Sureties for insolvent.
65. Debts falling due at stated periods.
66. No other debts provable.
67. Set off.
68. Secured debts.
69. Proof of claims.

Section 70. By whom oath may be made.

71. Before whom oath may be taken.

72. Proof to be sent to the assignee.

73. Examination by court into proof of claims.

74. Postponement of proof.

75. Withdrawal of papers.

76. Surrender of preference.

77. Examination of insolvent.

78. Parties may be witnesses.

79. Examination of witnesses.

80. Examination of imprisoned or disabled debtor.

81. No abatement upon death of debtor.

82. Distribution of debtor's estate.

83. Second meeting of creditors.

84. Third meeting of creditors.

85. Notice of meetings.

86. Creditor may act by attorney.

87. Settlement of assignee's account.

88. Dividend not to be disturbed.

89. Omission of assignee to call meetings.

90. Compensation of assignee.

91. Debts entitled to priority.

92. Notice of dividend to each creditor.

93. Composition.

Section 31. Contents of notice to creditors.—The notice to creditors under warrant shall state:

1. That a warrant in insolvency has been issued against the estate of the debtor.

2. That the payment of any debts and the delivery of any property belonging to such debtor to him or for his use, and the transfer of any property by him, are forbidden by law.

3. That a meeting of the creditors of the debtor, to prove their debts, and choose one or more assignees of his estate, will be held at a court of insolvency, to be holden at a time and place designated in the warrant, not less than ten nor more than thirty days after the issuing of the same.

§ 32. Messenger's return.—At the meeting held in pursuance of the notice the judge shall preside. and the messenger shall make return of the warrant, and of his doings thereon; and if it appears that the notice to the creditors has not been given as required in the warrant, the meeting shall forthwith be adjourned, and a new notice given as required.

§ 33. Choice of assignee.—The creditors shall, at the first meeting held after due notice from the messenger, in the presence of the court, choose one or more assignees of the estate of the

debtor who must be residents of this state; the choice to be made by a majority vote in number and amount of the creditors who have proved their debts; but when the number of creditors present amounts to five and less than ten, the votes of two at least, and, when the number of creditors amounts to ten or more, the votes of three at least, shall be necessary for a choice, and no party or person having a preferred claim shall vote thereon except on so much of said claim as exceeds the amount preferred by law. If no choice is made by the creditors at the meeting, the judge shall appoint one or more assignees. If an assignee so chosen or appointed fails within five days to express in writing his acceptance of the trust, the judge may fill the vacancy. All elections or appointments of the assignee shall be subject to the approval of the judge; and when, in his judgment, it is for any cause expedient, he may appoint additional assignees, or order a new election.

§ 34. Who are disqualified.—No person who has received any preference contrary to the provisions of this act shall vote for or be eligible as assignee; but no title to property, real or personal, sold, transferred or conveyed by an assignee, shall be affected or impaired by reason of his ineligibility.

§ 35. Bond of assignee.—The assignee so named shall, within ten days after such appointment, and before he shall have any power or authority to sell, dispose of or convert to the purposes of the trust any of the assigned property, enter into a bond to the people of the state of New York, in an amount to be ordered and directed by the county judge, with sufficient sureties to be approved of by such judge, and conditioned for the faithful discharge of the duties of such assignee and for the due accounting for all moneys received by him, which bond shall be filed in the office of the county clerk of the county where the assignment to be made in pursuance of this act is recorded. If the assignee fails to give the bond within such time, the judge may remove him and appoint another in his place.

§ 36. Assignee liable for contempt.—Any assignee who refuses or unreasonably neglects to execute an instrument when lawfully required by the court, or disobeys a lawful order or decree of the court in the premises, may be punished as for a contempt of court.

§ 37. Resignation of trust.—An assignee may, with the consent of the judge, resign his trust and be discharged therefrom.

§ 38. Removal of assignee.—The court, after due notice and hearing, may remove an assignee if at any time he shall become a nonresident, or for any cause which, in its judgment, renders such removal necessary or expedient. At a

meeting called for the purpose, by order of the court, in its discretion, or called upon the application of a majority of the creditors in number and value, the creditors may, with the consent of the court, remove any assignee by such a vote as is provided for the choice of assignee.

§ 39. Effect of resignation or removal.—The resignation or removal of an assignee shall in no way release him from performing all things requisite on his part for the proper closing up of his trust, and the transmission thereof to his successors, nor shall it affect the liability of the principal or surety on the bond given by the assignee.

§ 40. Filling vacancies.—Vacancies caused by death or otherwise, in the office of assignee, may be filled by appointment of the court, or, in its discretion, by an election by the creditors, in the same manner as in the original choice of an assignee, at a regular meeting, or at a meeting called for the purpose, with such notice thereof, in writing, to all known creditors, and by such person as the court shall direct.

§ 41. Vesting estate in remaining assignee.—When, by death or otherwise, the number of assignees is reduced, the estate of the debtor not lawfully disposed of shall vest in the remaining assignee or assignees, and the persons selected to fill vacancies, if any, with the same powers and duties relative thereto as if they were originally chosen.

§ 42. Former assignee to execute instruments.—Any former assignee, his executors or administrators, upon request and at the expense of the estate, shall make and execute to the new assignee all deeds, conveyances and assurances, and do all other lawful acts requisite to enable him to recover and receive all the estate. And the court may make all orders which it may deem expedient to secure the proper fulfillment of the duties of any former assignee, and the rights and interests of all persons interested in the estate.

§ 43. Assignments.—As soon as an assignee is appointed and qualified, the judge shall, by an instrument under his hand, assign and convey to the assignee all the estate, real and personal, of the insolvent, with all his deeds, books and papers relating thereto, and such assignment shall be recorded in the office of the clerk of the county in which the petition is filed, and shall relate back to the commencement of the proceedings in insolvency, and by operation of law shall vest the title to all such property and estate, both real and personal, in the assignee, although the same is then attached on mesne process as the property of the debtor, or held under an execution against him, and shall dissolve any such attachment or execution made within four months next preceding the commencement of the insolvency proceedings.

§ 44. Exemptions.—There shall be exempted from the operation of the conveyance such property as is exempt from levy and sale under execution, and also such parts of an estate held by any person in trust for the debtor as shall be necessary for his support and maintenance; but this section shall not be construed to include any trust created by the debtor.

§ 45. What property vests in assignee.—The assignment shall vest in the assignee all the property of the debtor, real and personal, which he could have lawfully sold, assigned or conveyed, or which might have been taken on execution against him at the time of the commencement of the proceedings, and shall be effectual to dissolve any attachment or execution, as provided in section forty-three of this act. The assignment shall vest in the assignee all debts due to the debtor or any person for his use, and all liens and securities therefor, and all his rights of action for goods or estate; and all his rights of redeeming such property and estate, together with the like right, title, power and authority to sell, manage, dispose of, sue for and recover or defend the same, as the insolvent might have had if no assignment had been made. Provided, that when any debtor shall have any insurance policy which has a cash surrender value, payable to himself, his estate, or personal representatives, he may, within thirty days after the cash surrender value has been ascertained and stated to the assignee by the company issuing the same, pay or secure to the assignee the sum so ascertained and stated, and continue to hold, own and carry such policy free from the claims of his creditors, otherwise the policy shall pass to the assignee as assets.

§ 46. Right of action of assignee.—The assignee shall have the like remedy to recover all the estate, debts and effects in his own name, as the debtor might have had if the decree in insolvency had not been rendered and no assignment had been made. If, at the time of the commencement of the proceedings in insolvency, an action is pending in the name of the debtor for the recovery of a debt or other thing which might or ought to pass to the assignee by the assignment, the assignee shall, if he requires it, be admitted to prosecute the action in his own name, in like manner and with like effect as if it had been originally commenced by him. And if any suit at law or in equity, in which the insolvent is a party in his own name, is pending at the time of the adjudication of insolvency, the assignee may defend the same in the same manner and with the like effect as it might have been defended by the insolvent.

§ 47. No abatement by death or removal.—No suit pending in the name of the assignee shall be abated by his death or removal; but, upon the motion of the surviving or remaining or new as-

signee, as the case may be, he shall be admitted to prosecute the suit in like manner and with like effect as if it had been originally commenced by him.

§ 48. Copy assignment conclusive evidence of title.—A copy, duly certified by the county clerk, of the assignment, shall be conclusive evidence of the title of the assignee to take, hold, sue for and recover the property of the insolvent.

§ 49. Books of account.—No person shall be entitled, as against the assignee, to withhold from him possession of any books of account, papers or documents of the insolvent, or claim any lien thereon.

§ 50. Debtor must execute instruments.—The debtor shall, at the request of the assignee and at the expense of the estate, make and execute any instruments, deeds and writings which may be proper to enable the assignee to possess himself fully of the assets of the insolvent.

§ 51. Trust property.—No property held by the insolvent in trust shall pass by the assignment.

§ 52. Notice of appointment of assignee and record of assignment.—The assignee shall immediately give notice of his appointment by publication, once a week for three successive weeks, in such newspapers as shall for that purpose be designated by the court, due regard being had to their general circulation in the county where the debtor resides, and in such other newspapers as shall be most likely to give notice to such creditors. And he shall also, forthwith after his appointment, cause to be filed and recorded in every county where a conveyance of any lands owned by the debtor ought by law to be recorded, a copy of the assignment, and the record of such assignment, or a duly certified copy thereof shall be evidence thereof in all courts.

§ 53. Assignee to demand and receive all assigned estate.—The assignee shall demand and receive from all persons holding the same all the estate belonging to said debtor.

§ 54. Notice prior to suit against the assignee.—No person shall be entitled to maintain action against an assignee in insolvency for anything done by him as such assignee, without previously giving him ten days' notice of such action, specifying the causes therefor to the end that such assignee may have an opportunity of tendering amends, should he see fit to do so.

§ 55. Time of commencing suits.—No suit, either at law or in equity, shall be maintainable in any court between an assignee in insolvency and a person claiming an adverse interest, touching any property or rights of property transferable to or vested in such assignee, unless brought within six months from the time when the cause of action accrued for or against such assignee.

And this provision shall not in any case revive a right of action barred at the time when an assignee is appointed.

§ 56. Assignee to deposit money.—The assignee shall, as soon as may be, after receiving any money belonging to the estate, deposit the same in some bank in his name as assignee. When it appears that the final settlement of an estate may be delayed by litigation or other cause the court may in its discretion order a partial dividend to the creditors of the funds in the hands of the assignee, or shall order the same deposited in some bank in this state, upon such interest not exceeding the legal rate, as the bank may contract with the assignee to pay, which interest shall be added to the estate.

§ 57. Assignee to sell property.—The assignee shall sell as such unincumbered estate, real and personal, which comes to his hands at public auction unless the court, for sufficient cause shown by petition of any interested party directs a different manner of sale.

§ 58. Sale of disputed property.—Whenever it appears to the satisfaction of the court that the title to any portion of an estate, real or personal, which has come to the possession of the assignee, or which is claimed by him, is in dispute, the court may, upon the petition of the assignee, and after such notice to the claimant, his agent, or attorney, as the court shall deem advisable, order it to be sold, under the direction of the assignee, who shall hold the funds received in place of the estate disposed of; and the proceeds of the sale shall be considered the measure of the value of the property in any suit or controversy between the parties in any court. But this provision shall not prevent the recovery of the property from the possession of the assignee by any proper action commenced at any time before the court orders the sale.

Replevin.—And in case any action has been brought to replevin property in the possession or control of the assignee or in the possession or control of the insolvent or messenger before the appointment of the assignee the replevining creditor will not be allowed to take the goods so replevined until the expiration of ten days after the appointment of the assignee and his qualification, and the assignee may then take such steps in the matter as he deems for the best interests of the estate. The assignee may also under the direction of the court submit any controversy arising in the settlement of the demands against the estate, or of debts due to it, to the determination of arbitrators, to be chosen by him and the other party to the controversy, and may under such direction compound and settle any such controversy by agreement with the other party, and as he deems proper and most for the interest of the estate.

§ 59. Sale of uncollectible assets.—The assignee may sell and assign under the direction of the court, and in such manner as the court shall order, any outstanding claims or other property, in his hands due or belonging to the estate which cannot be collected and received by him without unreasonable or inconvenient delay or expense.

§ 59a. Continuance of business by assignee.—The court may in its discretion, on sufficient cause shown, and upon notice and hearing, direct the assignee to take possession of the property and carry on the business of the debtor or any part thereof, under the direction of the court, when in its judgment, the interest of the estate as well as of the creditors will be promoted thereby, but not for a period exceeding nine months from the time the debtor shall have been declared insolvent. Provided, however, that the order shall not be made until the court shall be satisfied that it is approved by a majority in amount and number of the creditors.

§ 60. Discharge of liens.—The assignee shall have authority, under the order and direction of the court, to redeem or discharge any mortgage or conditional contract, or pledge or deposit or lien upon any property, real or personal whenever payable and to tender due performance of the condition thereof, or to sell the same subject to such mortgage, lien or other incumbrance.

§ 61. Provable debts.—All debts due and payable from the insolvent at the time of the commencement of the proceedings in insolvency, and all debts then existing but not payable until a future day, a rebate of interest being made, when no interest is payable by the terms of the contract, may be proved against the estate of the insolvent. All demands against the insolvent for or on account of any goods or chattels wrongfully taken, converted or withheld by him may be proved and allowed as debts to the amount of the value of the property so taken or withheld with interest. When the insolvent is liable for unliquidated damages arising out of any contract or promise, or on account of any goods or chattels wrongfully taken, converted or withheld, the court may cause such damages to be assessed in such manner as it may deem best and the sum so assessed may be proved against the estate.

§ 62. Contingent debts.—In all cases of contingent debts and contingent liabilities contracted by the insolvent, and not herein otherwise provided for, the creditor may make claim therefor, and have his claim allowed, with the right to share in the dividends if the contingency happens before the order for the final dividend; or he may at any time apply to the court to have the present value of the debt or liability ascertained and liquidated,

which shall then be done in such manner as the court shall order, and he shall be allowed to prove for the amount so ascertained.

§ 63. Liability of insolvent as surety.— When the bankrupt is bound as drawer, indorser, surety, bail or guarantor upon any bill, bond, note, or any other specialty or contract, or for any debt of another person, but his liability does not become absolute until after the adjudication of insolvency, the creditor may prove the same after such liability becomes fixed, and before the final dividend is declared.

§ 64. Sureties for insolvent.— Any person liable as bail, surety, guarantor, or otherwise for the insolvent, who shall have paid the debt or any part thereof, in discharge of the whole, shall be entitled to prove such debt, or to stand in the place of the creditor, if the creditor has proved the same, although such payments shall have been made after the proceedings in bankruptcy were commenced. And any person so liable for the insolvent and who has not paid the whole of such debt, but is still liable for the same or any part thereof, may, if the creditor fails or omits to prove such debt, prove the same either in the name of the creditor or otherwise as may be provided by the general orders provided for in section six of this act and subject to such regulations and limitations as may be established by such general orders.

§ 65. Debts falling due at stated periods.—Where the bankrupt is liable to pay rent or other debt falling due at fixed and stated periods, the creditor may prove for a proportionate part thereof up to the time of the commencement of the proceedings, as if the same grew due from day to day, and not at such fixed and stated periods. Where the liability is on a lease which has not expired, the assignee at any time may, at the request of either the debtor or of the lessor, or of those holding possession of the premises elect to accept or hold under said lease or to disclaim the same, and if he elects to disclaim, such lease or agreement in writing shall be thereupon deemed to be surrendered as of the day on which such disclaimer is made. And the debtor, provided he obtains his discharge in insolvency, shall be discharged from all liability under the same whether the assignee does or does not disclaim the same as aforesaid; and the lessor, or those having his estate in the premises, may prove such damages, if any, as are caused by such surrender. as a debt against the estate of the debtor; but this section shall not apply to leases or agreements in writing in force at the time of the passage of this act.

§ 66. No other debts provable.— No other debts than those specified in the five preceding sections shall be proved or allowed against the estate.

§ 67. Set-off.—In all cases of mutual debts or mutual credits between the parties, the account between them shall be stated and one debt set off against the other and the balance only shall be allowed or paid, but no set-off shall be allowed in favor of any debtor to the insolvent of the claim purchased by or transferred to him after the filing of the petition, or in cases of compulsory insolvency, after the act of insolvency upon or in respect to which the adjudication shall be made and with a view of making such set-off.

§ 68. Secured debts.—When a creditor has a mortgage or pledge of real or personal property of the insolvent, or a lien thereon for securing the payment of a debt owing to him from the insolvent, he shall be admitted as a creditor only for the balance of the debt after deducting the value of such property, to be ascertained by agreement between him and the assignee, or by a sale thereof, to be made in such a manner as the court shall direct, or the creditor may release or convey his claim to the assignee upon such property, and be admitted to prove his whole debt. If the value of the property exceeds the sum for which it is so held as security the assignee may release to the creditor the insolvent's right of redemption therein on receiving such excess; or he may sell the property, subject to the claim of the creditor, respectively, and shall execute all deeds and writings necessary or proper to consummate the transaction. If the property is not sold or released and delivered up, the creditor shall not be allowed to prove any part of his debt.

§ 69. Proof of claim.—To entitle a claimant against the estate of an insolvent to have his demand allowed, it must be verified by a deposition in writing, under oath, and signed by the deponent, setting forth the demand, the consideration thereof, whether any and what securities are held therefor, and whether any and what payments have been made thereon; that the sum claimed is justly due from the insolvent to the claimant over and above all offsets and counterclaims known to him; that the claimant has not, nor has any other person for his use, received any security or satisfaction whatever, other than that by him set forth; that the claim was not procured for the purpose of influencing the proceedings in insolvency; and that no bargain or agreement, express or implied, has been made or entered into, by or on behalf of such creditors, to sell, transfer or dispose of the claim, or any part thereof, or to take or receive, directly or indirectly, any money, property, or consideration whatever, whereby the vote of such creditor for assignee, or any action on the part of such creditor, or any other person in the proceedings, is or shall be in any way affected, influenced or controlled.

No claim shall be allowed unless all the statements set forth in such deposition shall appear to be true.

§ 70. By whom oath may be made.—Such oath shall be made by the claimant, testifying of his own knowledge, unless he is absent from the state, or prevented by any other good cause from testifying, in which case the demand may be verified by the attorney or authorized agent of the claimant, testifying to the best of his knowledge, information and belief, and setting forth his means of knowledge. Corporations may verify their claims by the oath of their president, cashier, treasurer or managing agent. The court may require or receive further pertinent evidence, either for or against the admission of any claim at any time during the pendency of the proceeding, upon the application of any person interested in the estate.

§ 71. Before whom oath may be taken.—Such oath may be taken in any county before any officer authorized to administer oaths, or if the creditor is in a foreign state or country, before any minister, consul, or vice-consul of the United States, or before any officer authorized by the laws thereof to take acknowledgments, and to be accompanied by the certificate of the clerk of the court where such oath is taken that the officer is authorized to take same. When the proof is so made it shall be delivered or sent by mail to the assignee.

§ 72. Proof to be sent to the assignee.—If the proof is satisfactory to the assignee he shall examine the same and compare it with the books and accounts of the insolvent, and shall register, in a book to be kept by him for that purpose, the names of the creditors who have proved their claims, in the order in which such proof is received, stating the time of the receipt of such proof and the amount and nature of the debt. All books and papers of the assignee, as well as all books and papers of the insolvent shall be open to the inspection of all the creditors. The court may require or receive any further pertinent evidence either for or against the admission of any claim as provided in section seventy of this act. For the purpose of voting at the first meeting of creditors for the choice of assignee the proof of claims shall be delivered to the court, who shall examine the same, and if the same are satisfactory, they shall be delivered to the assignee after his appointment.

§ 73. Examination by court into proof of claims.—The court may, on the application of the assignee, or any creditor or of the insolvent, or without any application, examine upon oath the insolvent, or any person tendering or who has made proof of a claim, and may summon any person capable of giving evidence concerning such proof, or concerning the debt sought to be

proved, and shall reject or expunge all claims not duly proved, or where the proof shows the claim to be founded in fraud, illegality or mistake.

§ 74. Postponement of proof.—When a claim is presented for proof before the election of the assignee, and the judge entertains doubts as to its validity, or of the right of the creditor to prove it, and is of the opinion that such validity or right ought to be investigated by the assignee, he may postpone the proof of the claim until the assignee is chosen.

§ 75. Withdrawal of papers.—A bill of exchange, promissory note or other instrument used in evidence upon the proof of a claim, and left in court or deposited in the clerk's office, may be delivered by the court or clerk having the custody thereof, attested by the clerk of the court, to the person who used it, and the clerk or court shall endorse upon it the name of the party against whose estate it had been proved, and the date and amount of any dividend declared thereon.

§ 76. Surrender of preference.—Any person who, since the passage of this act, has accepted any preference having reasonable cause to believe that the same was made or given by the debtor contrary to any provision of this act, shall not prove the debt or claim on account of which the preference is made or given, nor shall he receive any dividend therefrom until he shall first surrender to the assignee all property, money, benefit or advantage received by him under such preference.

§ 77. Examination of insolvent.—The court may, on the application of the assignee or of any creditor, or without any application, at any and all times require the insolvent, upon reasonable notice, to attend and submit to an examination, on oath, upon all matters relating to the disposal or condition of his property, to his trade and dealings with others, to his accounts concerning the same, to all debts due to or claimed from him, and to all other matters concerning his property and estate and the due settlement thereof, according to law; which said examination shall be signed by the insolvent and filed with the other proceedings.

§ 78. Parties may be witnesses.—That in all cases and trials arising or ordered under this act, the alleged insolvent and any party thereto shall be a competent witness.

§ 79. Examination of witnesses.—The court may, in like manner, require the attendance of any other person as a witness, and if such person fails to attend, on being summoned thereto, the court may compel his attendance by a warrant directed to the sheriff commanding him to arrest such person and bring him forthwith before the court for examination as a witness, and if he fails to answer such interrogatories as are put to him, the

judge shall commit him to the jail of the county, there to remain in close custody until he submits to the order of the court.

§ 80. Examination of imprisoned or disabled debtor.—If the insolvent, or any other person interested in the estate, or whose testimony is required in the proceeding is imprisoned, absent or disabled from attendance, the court may order him to be produced by the jailor or any officer in whose custody he may be, or may direct the examination to be had, taken and certified at such time and place and in such manner as the court may deem proper, and with like effect as if such examination had been had in court.

§ 81. No abatement upon death of debtor.—If the debtor dies after the issuing of the warrant, the proceedings may be continued and concluded in like manner as if he had lived.

§ 82. Distribution of debtor's estate.—All creditors whose debts are duly proved and allowed shall be entitled to share in the insolvent's property and estate pro rata, without any priority or preference whatsoever, except as allowed by section ninety-one. No debt proved by any person liable as bail surety, guarantor or otherwise for the insolvent shall be paid to the person so proving the same until satisfactory evidence shall be produced of the payment of such debt by such person so liable, and the share to which such debt would be entitled may be paid into court or otherwise held for the benefit of the party entitled thereto as the court may direct.

§ 83. Second meeting of creditors.—At the expiration of three months from the date of the adjudication of insolvency in any case, or as much earlier as the court may direct, the court, upon the request of the assignee, shall call a general meeting of the creditors, of which due notice shall be given, and the assignee shall then report and exhibit to the court and to the creditors, just and true accounts of all his receipts and payments, verified by his oath, and he shall also produce and file vouchers for all payments for which vouchers are required by any rule of the court. He shall also submit the schedule of the insolvent's creditors and property, as amended, duly verified by the insolvent, and a statement of the whole estate of the insolvent as then ascertained, of the property recovered and of the property outstanding, specifying the cause of its being outstanding and showing what debts or claims are yet undetermined, and what sum remains in his hands. The court shall then determine, after hearing any creditor interested, what dividend shall be paid.

§ 84. Third meeting of creditors.—Like proceedings shall be had at the expiration of the next three months, or earlier, if practicable, and a third meeting of creditors shall then be called by the court and a final dividend then declared, unless any suit at

law or in equity is pending, or unless some other assets or effects of the debtor afterward come to the hands of the assignee, in which case the assignee shall, as soon as may be, convert such estate or effects into money, and within two months after the same shall be so converted, they shall be divided in manner aforesaid. Further dividends shall be made in like manner as often as occasion requires, and after the third meeting of creditors no further meeting shall be called unless ordered by the court. It shall be the duty of the assignee at any time upon petition of a creditor and upon order of the judge in his discretion, to render an account of his doings to the court, together with all receipts and vouchers received by him.

§ 85. Notice of meeting.—The assignee shall give notice to all known creditors by mail or otherwise, of all meetings, after the first, as may be ordered by the court.

§ 86. Creditor may act by attorney.—Any creditor may act at all meetings by his duly constituted attorney the same as though personally present.

§ 87. Settlement of assignee's account.—Preparatory to the final dividend, the assignee shall submit his account to the court and file the same, and give notice to the creditors of such filing, and shall also give notice that he will apply for a settlement of his account and for a discharge from all liability as assignee, at a time to be specified in such notice, and at such time the court shall audit and pass the accounts of the assignee, and the assignee shall, if required by the court, be examined as to the truth of his account, and if it is found correct he shall thereby be discharged from all liability as assignee to any creditor of the insolvent. The court shall thereupon order a dividend of the estate and effects, or of such part thereof as he sees fit, among such of the creditors as have proved their claims, in proportion to the respective amount of their debts.

§ 88. Dividend not to be disturbed.—No dividend already declared shall be disturbed by reason of debts being subsequently proved, but the creditors proving such debts shall be entitled to a dividend equal to those already received by the other creditors before any further payment is made to the latter.

§ 89. Omission of assignee to call meetings.—If by accident, mistake or other cause, without fault of the assignee either or both of the second and third meetings should not be held within the times limited, the court may, upon motion of an interested party, order such meetings, with like effect as to the validity of the proceedings as if the meetings had been duly held.

§ 90. Compensation of assignee.—The assignee shall be allowed, and may retain out of the money in his hands, all the necessary disbursements, including counsel fees, made by him

in the discharge of his duty, and a reasonable compensation for his services, in the discretion of the court, which compensation shall not exceed the commissions now allowed to executors and administrators.

§ 91. Debts entitled to priority.—In the order for a dividend, the following claims shall be entitled to priority, and to be first paid in full in the following order:

1. The fees, costs and expenses of suits, and of the several proceedings in insolvency under this act, and for the custody of the property as herein provided.

2. All debts due to the United States, and all taxes and assessments under the laws thereof.

3. All debts due to the state of New York, and all taxes and assessments made under the laws thereof.

4. Wages or salaries actually owing to any operator, clerk, servant or officer of the debtor, and all moneys due to truckmen for services rendered by them, which said wages, salary and truckmen's fees, shall be limited, however, to the labor performed and services rendered, within three months preceding the filing of the petition in insolvency, and not to exceed the sum of one hundred fifty dollars to each claimant.

5. All other creditors, in proportion to their respective demands, without any preference whatever other than as above set forth.

§ 92. Notice of dividend to each creditor.—When a dividend is ordered, the assignee shall, within ten days after the meeting, prepare a list of creditors entitled to dividend, and shall calculate and set opposite to the name of each creditor who has proved his claim the dividend to which he is entitled out of the net proceeds of the estate set apart for dividend, and shall forward, by mail to every creditor or his attorney a statement of the dividend to which he is entitled, and such creditor shall be paid by the assignee in such manner as the court may direct.

§ 93. Composition.—At any time after the filing of the petition by or against the debtor, and the filing of the inventory and schedules hereinbefore provided for, the debtor may file a written proposal for composition with his creditors, setting forth the amount of the proposed dividend, which shall be payable only in money, the time or times when the same shall be payable, and the security to be given for such payments so far as deferred. No such proposal shall be considered unless it conforms to these requirements, nor unless it provides for payment in full of all debts and charges entitled to priority under this act. If the allegations of the debtor's petition appear to be true, or if the warrant has been issued thereon, the court upon the filing of the proposal for composition may stay or suspend any process or pro-

ceedings which would otherwise be required by law and may make such orders relating thereto, or to the custody of the debtor's estate as justice and the interests of the creditors may require, and shall order a hearing on such proposal as early as may be, of which the messenger shall send notice by mail postpaid to all known creditors not less than eight days before the hearing upon such proposal, which notice shall state the substance of the proposal. All books of account and papers of the debtor relating to his estate shall, until the final hearing on confirmation of the composition, be open at all reasonable times to examination by any creditor or his agent, and the court may enforce production thereof; and during such period the debtor or any other person may be examined by the court or by any creditor in the manner and under the circumstances prescribed in sections seventy-seven, seventy-eight, seventy-nine and eighty of this act. The provisions of sections sixty-one, sixty-two, sixty-three, sixty-four and sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, and seventy-one of this act concerning debts and proof of claims, shall apply to and be of force in, composition proceedings so far as they can be applied thereto. But the proceedings shall not be stayed or suspended on account of an appeal from the allowance or rejection of a claim. The debtor shall be present at the hearing and may then be examined by the court or by any creditor touching his estate or his dealings therein, and all pertinent evidence may be offered. At any time before the hearing is closed the debtor may file any modification of his proposal, which shall thereafter be considered as the proposal. Upon the filing of any such modification the court shall order a hearing thereon as early as may be, of which the messenger shall send notice by mail, postpaid to all known creditors not less than eight days before the day appointed for such hearing, stating the substance of the proposal. The hearing may be adjourned from time to time not, however, more than three times, and if, at or before the day to which such adjournment is made, the debtor shall file in court the written assent to the proposal of a majority in number and value of his creditors who have proved their claims, if the same be for a payment of not less than fifty per centum to the general creditors, or, if less than fifty per centum of three-fourths in number and value of such creditors, the court shall proceed at the hearing or at a further adjournment thereof, to determine whether the composition shall be confirmed, and any creditor may be heard thereon. Any matter which would prevent or avoid a discharge in insolvency by the provisions of this act may be considered in ascertaining the expediency of confirming the same, but not as an absolute bar thereto. If the only objection thereto relates to the security for deferred payments,

other or further security may then be offered. No claim entitled to priority shall be counted, nor shall any creditor whose claim is less than fifty dollars in amount be counted in number of creditors. If the composition appears to have been duly assented to and to be consistent with justice and for the interests of the creditors, the court shall order the same to be confirmed; and by the same order shall limit the time within which all moneys for cash payments and all vouchers and securities for deferred payments shall be deposited in court; and upon such deposit, within the time so limited therefor, the court shall grant to the debtor a certificate of discharge from his debts, which shall be as nearly as may be in the same form and which shall have the same force and effect as though obtained by the other proceedings in insolvency prescribed by this act. Provided, however, that the same shall not be annulled for any cause which was brought to the notice of the court on the hearing for confirmation, or which was then known to the creditor applying to have the same annulled, and provided further, that the same shall not bar the debt of any creditor, whose name was fraudulently and wilfully omitted from the debtor's schedule of creditors. But the debt of any creditor omitted therefrom only through mistake or want of knowledge shall be barred and he shall be entitled to and may recover against the debtor the amount of the dividend to which he would be entitled in the composition proceedings. If there are any unsecured claims included in the debtor's schedule of creditors which have not been proved at the time of the deposit, the deposit shall include a dividend at the rate proposed on all such unproved claims computed on the amount set forth in the schedule and after the expiration of five months and within six months from the time of the first meeting, on the debtor's proposal for composition the court shall order a hearing for the proof of such unproved claims of which notice shall be given to the same persons and in the same manner as of the previous hearing and upon proof and allowance thereof at such hearing the court shall order dividends to be paid on all debts so proved at the rate allowed on debts formerly proved and the money deposited on claims then remaining unproved shall then be refunded to the debtor or person depositing the same. Upon the granting of the discharge, the moneys, vouchers and securities deposited in court shall be paid and delivered by the person holding the same on demand to the persons entitled thereto, and all other property of the debtor shall revert to and be revested in him; and the court may order any necessary or proper release or reconveyance thereof by any assignee or trustee to whom the same may have been assigned or conveyed. If the money for the cash payments

and the vouchers and securities for deferred payments are not deposited in court within the time limited by the order of confirmation, the case shall proceed in insolvency; and in such event the judge shall deliver to the assignee all moneys and securities which are the property of the debtor which shall have been deposited in court, and all other securities and vouchers which shall have been so deposited shall be returned by the court to the persons who furnished or deposited the same or be otherwise disposed of as justice may require. In such case the stay or suspension of other proceedings by reason of the attempted composition shall not work any forfeiture or affect any rights, but the period of suspension shall be excluded in computing other periods of time prescribed by this act. If an insolvent debtor shall knowingly place upon his schedule of creditors any false or fictitious debt with intent to deceive or defraud his creditors, or in case of any person having proved or attempted to prove a false or fictitious debt against his estate, shall fail to disclose the same to the court forthwith upon notice or knowledge thereof, or shall make any payment, or give, or promise any advantage to any creditor with intent thereby to procure his assent to a composition shall be deemed guilty of a misdemeanor. If any creditor of an insolvent shall knowingly prove any false or fictitious debt against his estate, or shall receive or procure or attempt to procure any payment or advantage in consideration of his assent to a composition, he shall be deemed guilty of a misdemeanor. The court may make all necessary orders and decrees in the course of the proceedings or thereafter, necessary to carry this section into effect.

ARTICLE V.

PROTECTION AND DISCHARGE OF INSOLVENTS.

- Section 101. Insolvent subject to the orders of court.
102. Waiver of suit by proof of debt.
103. Stay of suits.
104. Exemption from arrest.
105. Application for discharge.
106. Notice to creditors.
107. Grounds for opposing discharge.
108. Specification of grounds of opposition.
109. Assets equal to fifty per centum required.
110. Final oath of insolvent.
111. Court to grant discharge. .
112. Form of certificate.
113. Second insolvency.
114. Debts not released.
115. Liability of other persons not released.

Section 116. Effect of discharge.

117. Application to annul discharge.

118. Subsequently acquired property not subject to attachment or execution.

Section 101. Insolvent subject to the orders of court.—The insolvent shall at all times, until his discharge, be subject to the order of the court, and shall at the expense of the estate, execute all proper writings and instruments and do all acts required by the court, touching the assigned property or estate, and to enable the assignee to demand, recover and receive all the property and estate assigned wherever situated. For neglect or refusal to obey any order of the court, the insolvent may be committed and punished as for contempt of court. If the insolvent is without the state, and unable to return and personally attend at any of the times, or do any of the acts which may be required pursuant to the provisions of this act, and if it appears that such absence was not caused by willful default, and if, as soon as may be after the removal of such impediment, he offers to attend and submit to the order of the court in all respects, he shall be permitted so to do, with like effect as if he had not been in default.

§ 102. Waiver of suit by proof of claim.—No creditor having a provable claim against the estate shall be allowed to maintain any suit at law or in equity therefor against the insolvent, but shall be deemed to have waived all right of action against him, and all proceedings already commenced or unsatisfied judgments already obtained thereon against the insolvent shall be deemed to be discharged and surrendered thereby. But a creditor proving his debt or claim shall not be held to have waived his right of action or suit against the insolvent where a discharge has been refused or the proceedings have been determined without a discharge.

§ 103. Stay of suits.—No creditor whose debt is provable shall be allowed to prosecute to final judgment any suit at law or in equity therefor against the insolvent until the question of the debtor's discharge shall have been determined, and any suit or proceeding shall, upon the application of the insolvent be stayed to await the determination of the court in insolvency on the question of discharge, provided there is no unreasonable delay on the part of the insolvent in endeavoring to obtain his discharge; and provided also that if the amount due the creditor is in dispute, the suit, by leave of the court in insolvency, may proceed to judgment for the purpose of ascertaining the amount due, which amount may be proved in insolvency, but execution shall be stayed.

§ 104. Exemption from arrest.—No insolvent shall be liable during the pendency of proceedings in insolvency to arrest in any civil action, unless the same is founded on some debt or claim from which his discharge in insolvency would not release him.

§ 105. Application for discharge.—At any time after the expiration of six months from the adjudication in insolvency, or if no debts have been proved against the bankrupt, or if no assets have come to the hands of the assignee, at any time after the expiration of sixty days and before the final disposition of the cause the insolvent may apply to the court for a discharge from his debts.

§ 106. Notice to creditors.—Upon application for a discharge being made, the court shall order notice to be given by mail to all creditors who have proved their debts, and by publication at least once a week in such newspapers as the court may designate, for three weeks, due regard being had to the general circulation of the same in the county in which the insolvent and his creditors shall reside, to appear on a day appointed for that purpose, and show cause why a discharge should not be granted to the insolvent.

§ 107. Grounds for opposing discharge.—No discharge shall be granted in any of the following cases:

1. If the insolvent has wilfully sworn falsely as to any material fact in the course of the proceeding.

2. If the insolvent has concealed any part of his estate or effects, or any books or writings relating thereto; or has been guilty of any fraud or negligence in the care, custody or delivery to the assignee of the books and property belonging to him at the time of the presentation of his petition and inventory, excepting such property as he is permitted to retain under the provisions of this act, or if he has caused, permitted or suffered any loss, waste or destruction thereof.

3. If, within four months before the commencement of such proceedings, the insolvent has procured his lands, goods, money or chattels to be attached, sequestered or seized on execution.

4. If at any time after the passage of this act the insolvent has mutilated, altered or falsified any of his books, documents, papers, writings or securities, or has made or been privy to the making of any false or fraudulent entry in any books of account or other document, with intent to defraud his creditors, or has removed or caused to be removed any part of his property from the county with intent to defraud his creditors.

5. If the insolvent has given any fraudulent preference contrary to the provisions of this act, or has made any fraudulent

gift, transfer, conveyance or assignment of any part of his property, or has lost any part thereof in gaming, or has admitted a false or fictitious debt against his estate.

6. If the insolvent, having knowledge that any person has proved such false or fictitious debt, has not disclosed the same to his assignee within one month after such knowledge.

7. If the insolvent, being a banker, broker, merchant, trader, manufacturer, builder, contractor or miner has not at all times after the passage of this act kept proper books of account.

8. If the insolvent, or any person in his behalf, has procured the assent of any creditor to the discharge, or influenced the action of any creditor at any stage of the proceedings by any pecuniary consideration or obligation.

9. If the insolvent has, in contemplation of becoming insolvent made any pledge, payment, transfer, assignment or conveyance of any part of his property, directly or indirectly, absolutely or conditionally, for the purpose of preferring any creditor or person having a claim against him, or who is or may be under liability for him, or for the purpose of preventing the property from coming into the hands of the assignee, or of being distributed in satisfaction of his debts.

10. If the insolvent has been convicted of any misdemeanor, or been adjudged guilty of contempt of court under this act. The provisions of this section shall not apply to a general assignment for the benefit of creditors made in good faith and without preferences.

11. If the insolvent has obtained property upon credit which has not been paid for or restored, at the time of the filing of the petition against him, upon a materially false statement in writing made by him to any person for the purpose of obtaining credit or ~~of being communicated~~ to the trade, or to the person from whom he obtained such property or credit.

§ 108. Specification of grounds of opposition.—Any creditor opposing the discharge of any insolvent may file a specification in writing of the grounds of his opposition, and the court may in its discretion order any question of fact so presented to be tried by the court.

§ 109. Assets equal to fifty per centum required.—In all proceedings in insolvency commenced after the passage of this act no discharge shall be granted to a debtor whose assets shall not be equal to fifty per centum of the claims proved against his estate, upon which he shall be liable as the principal debtor, unless the assent in writing of a majority in number and value of his creditors to whom he shall have become liable as principal debtor, and who shall have proved the claims as filed in the case at or before the time of the hearing of the application for dis-

charge, but this provision shall not apply to those debts from which the insolvent seeks to be discharged which were contracted prior to the passage of this act.

§ 110. Final oath of insolvent.—Before any discharge is granted, the insolvent must take and subscribe an oath to the effect that he has not done, suffered or been privy to any act, matter or thing specified as a ground for withholding such discharge.

§ 111. Court to grant discharge.—If it shall appear to the court that the insolvent has in all things conformed to his duty under this act, and that he is entitled, under the provisions thereof, to receive a discharge, the court shall grant him a discharge from all his debts except as hereinafter provided, and shall give him a certificate thereof under the seal of the court.

§ 112. Form of certificate.—The certificate of discharge in insolvency shall be in substance in the following form:

STATE OF NEW YORK,

County of.....

Whereas, _____ has been duly adjudged an insolvent under the provision of "The Insolvent Law" and appears to have conformed to all the requirements of law in that behalf, it is therefore ordered, by the court that said

_____ be forever discharged from all debts and claims which by said act are made provable against his estate, and which existed at the time of the filing of the petition in insolvency, viz: the _____ day of _____, 18 _____, excepting such debts, if any, as are by law, excepted from the operation of a discharge in insolvency.

Given under my hand and the seal of the court at _____, in the county of _____, this _____ day of _____ (Seal.) _____ Signature of judge.

§ 113. Second insolvency.—A discharge shall not be granted to a debtor a second time insolvent, whose assets do not pay seventy per centum of the claims proved against his estate unless the assent in writing of three-fourths in value of his creditors who have proved their claims is filed in the case, within six months after the date of the assignment. No discharge shall be granted to a debtor a third time insolvent; except that a debtor who has paid all the debts owing by him at the time of his previous insolvency, or who has been voluntarily released therefrom by his creditors, shall be entitled to a discharge in the same manner and with the same effect as if he had not been previously insolvent.

§ 114. Debts not released.—No debt created by the fraud or embezzlement of the insolvent, or by his defalcation as a public

officer, or while acting in any fiduciary capacity shall be discharged by proceedings in insolvency, but the debt may be proved, and the dividend thereon shall be payment on account of such debt.

§ 115. Liability of other persons not released.—No discharge shall release, discharge or affect any person liable for the same debt for or with the insolvent either as partner, joint-contractor, indorser, surety or otherwise.

§ 116. Effect of discharge.—A discharge in insolvency duly granted shall, subject to the limitations imposed by the two preceding sections, release the insolvent from all debts, claims, liabilities and demands, which were or might have been proved against his estate in insolvency. It may be pleaded by a simple averment that on the day of its date such discharge was granted to the insolvent setting a full copy of the same forth in its terms as a full and complete bar to all suits brought on any such debts, claims, liabilities or demands. The certificate shall be conclusive evidence in favor of such insolvent of the fact and regularity of such discharge.

§ 117. Application to annul discharge.—Any creditor of an insolvent whose debt was proved or provable against the estate in insolvency who desires to contest the validity of the discharge, on the ground that it was fraudulently obtained, may, at any time within one year from the date thereof, apply to the court which granted it to annul the same. The application shall be in writing, and shall specify which, in particular, of the several acts mentioned in section one hundred and seven of this act it is intended to prove against the insolvent, and set forth the grounds of avoidance, and no evidence shall be admitted as to any order of such acts but the application shall be subject to amendment at the discretion of the court. The court shall cause reasonable notice of the application to be given to the insolvent, and order him to appear and answer the same, within such time as the court shall deem proper. If upon the hearing of the parties the court finds that the fraudulent acts or any of them set forth by the creditor against the insolvent are proved, and that the creditor had not knowledge of the same until after the granting of the discharge, judgment shall be given in favor of the creditor, and the discharge of the insolvent shall be annulled. But if the court finds that the fraudulent acts and all of them so set forth are not proved, or that they were known to the creditor before the granting of the discharge, judgment shall be rendered in favor of the insolvent, and the validity of his discharge shall not be affected by the proceedings.

§ 118. Subsequently acquired property not subject to attachment or execution.—The property in this state of the debtor by

him acquired subsequently to the time of the adjudication of insolvency against him shall not be subject to attachment or execution in any suit to recover a debt which may have been so provable and due to any person or persons not residents in this state at the time of such adjudication or founded on any contract existing at the time of said adjudication and made or to be performed out of the limits of this state.

ARTICLE VI.

PROCEEDINGS PECULIAR TO PARTNERSHIPS AND CORPORATIONS.

Section 121. Insolvency of copartnership.

122. Of corporations, joint stock companies and voluntary associations.

§ 121. Insolvency of copartnership.—During the continuance of a copartnership business, or after its dissolution, and before the final settlement thereof, a copartnership may be adjudged an insolvent, either upon the petition of such partners or of any one or more of them, or on the petition of any creditor or creditors whose debts or combined debts exceed two hundred and fifty dollars, as provided in this act. In case the petition is filed by only one or more of the copartners, and not by all, the other copartners shall be entitled to notice, as is prescribed in the case of creditors. The creditors of the copartnership shall appoint the assignee, and in all other respects, so far as possible, the estate shall be administered as is provided in this act for individual insolvents. The county court of the county where the principal place of business of the copartnership is located, and in the case of counties containing cities of the first class, the justices designated shall have jurisdiction of all the partners and of the administration of the partnership and individual property. The assignee shall keep separate accounts of the copartnership property and of the property belonging to the individual partners. The expenses shall be paid from the partnership property and the individual property in such proportions as the court shall determine. The net proceeds of the partnership property shall be appropriated to the payment of the partnership debts, and the net proceeds of the individual estate of each partner to the payment of his individual debts. Should any surplus remain of the property of any partner after paying his individual debts, such surplus shall be added to the partnership assets and be applied to the payment of the partnership debts. Should any surplus of the partnership property remain after paying the partnership debts, such surplus shall be added to the assets of the individual partners in the proportion of their

respective interests in the partnership. The court may permit the proof of claims of the partnership estate, against the individual estate, and vice versa, and may marshal the assets of the partnership estate and individual estates so as to prevent preferences and secure the equitable distribution of the property of the several estates. In the event of one or more, but not of all the members of a partnership being adjudged insolvent, the partnership property shall not be administered in insolvency, unless by consent of the partner or partners not adjudged insolvent; but such partner or partners not adjudged insolvent shall settle the partnership business as expeditiously as its nature will permit, and account for the interest of the partner or partners adjudged insolvent. The provisions of this section shall apply to limited partnerships formed under the laws of this state when such partnerships become insolvent, but the separate estate and separate debts of the special partners shall not be subject to the proceedings against the partnership. When, upon the dissolution of a partnership, one or more of the partners, or a new partnership formed by the addition of new members, has made an agreement to pay any outstanding debts of such partnership, or when a person or a firm, in consideration of the receipt or transfer of property, has made an agreement to pay such outstanding debts of the party from whom such property was received or transferred, and the party agreeing to pay has become insolvent, such debts may, if the creditors so elect, be proved against the estate of such insolvent debtor or debtors, and the proof and allowance thereof shall be a discharge of the party originally liable therefor. When the original debtor, in such case named above, has been compelled to pay the debt so agreed to be paid, he shall have the same right to prove the amount so paid as the original creditor would have had.

§ 122. Of corporations, joint stock companies and voluntary associations.—The provisions of this act shall apply to all moneyed, business or commercial corporations, joint stock companies and voluntary associations organized or existing under the laws of this state, or organized and existing under the laws of another state, or of the United States and which are inhabitants of this state excepting national banks, state banks and insurance companies, and upon the petition of any officer of such corporation, company or association duly authorized by a vote of a majority of the directors at any legal meeting called for the purpose, or upon the petition of any creditor of such corporation, company or association made and presented in the manner provided in respect to debtors, like proceedings shall be had and taken as are provided in the case of debtors. All of the provisions of this act which apply to the debtor, or set forth his duties in regard

to furnishing schedules and inventories, executing papers, submitting to examinations, disclosing, making over, secreting, concealing, conveying, assigning or paying away his money or property shall in like manner and with like force, effect and penalties apply to each and every officer of such corporation, company or association and the money and property thereof. All payments, conveyances and assignments declared fraudulent and void by this act when made by a debtor shall in like manner and to the like extent, and with like remedies be fraudulent and void when made by a corporation, company or association. Whenever any corporation, company or association by proceedings under this act is declared insolvent, all its property and assets shall be distributed to the creditors of such corporation in the manner provided in this act in respect to natural persons. But no allowance or discharge shall be granted to any corporation, joint stock company or voluntary association or to any person or officer or member thereof.

ARTICLE VII.

PROHIBITED AND FRAUDULENT TRANSFERS.

Section 131. Preferences by insolvent.

132. Transfer of property to defeat the act.

133. Presumptive evidence of fraud.

135. Fraudulent agreements.

136. Penalties against fraudulent insolvents.

Section 131. Preferences by insolvent.—If any person being insolvent, or in contemplation of insolvency, within four months before the filing of the petition by or against him, with a view to give preference to any creditor or person having a claim against him, or who is under any liability for him, procures or suffers any part of his property to be attached, sequestered, or seized on execution, or makes any payment, pledge, assignment, transfer or conveyance of any part of his property either directly or indirectly, absolutely or conditionally, the person receiving such payment, pledge, assignment, transfer or conveyance or to be benefited thereby, or by such attachment or execution, having reasonable cause to believe such person is insolvent, and knowing that such attachment, sequestration, seizure, payment, pledge, assignment or conveyance is made in fraud of the provisions of this act, the same shall be void, and the assignee may recover the property, or the value of it from the person so receiving it or so to be benefited.

§ 132. Transfer of property to defeat this act.—If any person, being insolvent, or in contemplation of insolvency, within six months before the filing of the petition by or against him,

makes any payment, sale, assignment, transfer, conveyance or other disposition of any part of his property to any person who then has reasonable cause to believe him to be insolvent, or to be acting in contemplation of insolvency, and knowing that such payment, sale, assignment, transfer or other conveyance is made with a view to prevent his property from coming to his assignee in insolvency, or to defeat the object of, or in any manner impair, hinder, impede or delay the operation and effect of, or to evade any of the provisions of this act, the sale, assignment, transfer or conveyance shall be void, and the assignee may recover the property, or the value thereof, as assets of the insolvent.

§ 133. Presumptive evidence of fraud.—The fact that such a payment, pledge, sale, assignment, transfer, conveyance or other disposition of a debtor's property as is described in the two preceding sections is not made in the usual and ordinary course of business of the debtor shall be prima facie evidence of fraud.

§ 135. Fraudulent agreements.—Any contract, covenant or security made or given by an insolvent, or other person with, or in trust for, any creditor, for securing the payment of any money as a consideration for or with intent to induce the creditor to forbear, opposing the application for discharge of the insolvent, shall be void, and any creditor who obtains any sum of money or other goods, chattels or security from any person as an inducement for forbearing to oppose, or consenting to, such application for discharge, shall forfeit all right to any share or dividend in the estate of the insolvent, and shall also forfeit double the value or amount of such money, goods, chattels or security so obtained, to be recovered by the assignee for the benefit of the estate.

§ 136. Penalties against fraudulent insolvents.—Every person respecting whom proceedings in insolvency are commenced, either upon his own petition or upon that of a creditor.

1. Who secretes or conceals any property belonging to his estate; or

2. Who parts with, conceals, destroys, alters, mutilates or falsifies, or causes to be concealed, destroyed, altered, mutilated or falsified any book, deed, document, or writing relating thereto; or

3. Who removes, or causes to be removed, any such property or book, deed, document or writing out of the jurisdiction of the court or otherwise disposes of any part thereof, with intent to prevent it from coming into the possession of the assignee in insolvency, or to hinder, impede or delay him in recovering or receiving the same; or

4. Who makes any payment, gift, sale, assignment, transfer or conveyance of any property belonging to his estate with the like intent; or

5. Who spends any property belonging to his estate in gaming; or

6. Who, with intent to defraud, wilfully and fraudulently conceals from his assignee or omits from his inventory any property or effects required by this act or described therein; or

7. Who, having reason to suspect that any other person has proved a false or fictitious debt against his estate fails to disclose the same to his assignee within one month after coming to the knowledge and belief thereof; or

8. Who attempts to account for any of his property by fictitious losses or expenses; or

9. Who, within three months before the commencement of proceedings in insolvency, under the false color and pretense of carrying on business and dealing in the ordinary course of trade, obtains on credit from any person any goods or chattels with intent to defraud; or

10. Who, within three months next preceding the commencement of proceedings in insolvency, with intent to defraud his creditors, pawns, pledges or disposes of, otherwise than by transactions made in good faith, in the ordinary course of his trade, any of his goods or chattels which have been obtained on credit and remain unpaid for, shall be deemed guilty of a felony, and shall be punished by imprisonment, with or without hard labor, for not more than three years.

ARTICLE VIII.

FEES AND COSTS.

Section 141. Fees.

142. Power of court to change tariff of fees.

Section 141. Fees.—No fees of any kind shall be paid, other than those now provided by law for the taking of depositions and the filing of papers with the county clerk, except that the messenger to be appointed by the court shall receive out of the estate the following fees and no more, to be paid by the assignee before any dividend is ordered:

1. For service of warrant, two dollars;

2. For all necessary travel, at the rate of eight cents per mile, in one direction only;

3. For each written notice to creditors named in the schedule, ten cents;

4. For the custody of property, publication of notices and

other services, his actual expenses upon returning the same in specified items and making oath that they have been actually incurred and paid by him and are just and reasonable, but in no case shall the charge for the custody of the property exceed the sum of three dollars per day for each day in which the property is actually in the control and custody of such messenger.

§ 142. Power of court to change tariff of fees.—Nothing in this act shall prevent the county judge from prescribing a tariff of fees for all other services of the officers to be appointed by him, or from reducing the fees herein prescribed. The court may also, upon reasonable cause shown, and upon hearing thereon, make such further allowance as it in its discretion may determine proper.

ARTICLE IX.

MISCELLANEOUS.

Section 146. Certain persons exempted from the operation of this act.

147. Repealing clause.

148. When to take effect.

Section 146. Certain persons exempted from the operation of this act.—This act shall not apply to persons engaged chiefly in farming or tillage of the soil; or an individual who works for wages, salary or hire at a rate of compensation not exceeding fifteen hundred dollars per year; or to national or state banks or to insurance companies.

§ 147. Repealing clause.—Of the laws enumerated in the schedule hereto annexed, that portion specified in the last column is hereby repealed, so far as they may be operative upon debts hereafter contracted, but not otherwise.

§ 148. When to take effect.—This act shall take effect June first, eighteen hundred and ninety-eight.

SCHEDULE OF LAWS REPEALED.

Revised statutes.	Sections.
Part II, chap. 5, tit. I, art. 8.	All.
Code of Civil Procedure.	2149 to 2199

Which report was agreed to and said substitute bill ordered printed and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, and that the same be made special orders on second and third reading :

Senate, "An act to amend the Public Officers Law." (No. 1714, Rec. No. 194.)

Senate, "An act making an appropriation for continuing the acquisition of land in the Adirondack park." (No. 725, Rec. No. 302.)

Senate, "An act to amend section 4 of chapter 585 of the Laws of 1865, entitled 'An act to establish the Cornell University and to appropriate to it the income of the sale of public lands granted to this State by Congress on the second day of July, 1862; also to restrict the operation of chapter 511 of the Laws of 1863.'" (No. 998, Rec. No. 316.)

"An act to promote education in forestry, to encourage and provide for the establishment of a college of forestry at Cornell University, and making an appropriation therefor." (No. 1730) Rec. No. 129.)

Senate, "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylum for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy,' relating to transfers from State hospitals to the Matteawan State Hospital." (No. 944, Rec. No. 310.,

Senate, "An act to amend the Code of Criminal Procedure, relative to proceedings respecting the support of poor persons." (No. 1720, Rec. No. 182.)

Senate, "An act directing the Adjutant-General to deliver the battle flags of the Ninety seventh Regiment of New York State Volunteers to the trustees or managers of the Munson Williams Memorial Hall of Utica." (No. 901, Rec. No. 277.)

Senate, "An act to legalize certain assessments." (No. 915, Rec. No. 283.)

Senate, "An act regarding sales of real property under judgment for the partition and sale of real property, heretofore made, to guardians in socage of infant parties to actions." (No. 31, Rec. No. 308.)

"An act to amend the Town Law and the Election Law authorizing the board of supervisors of each county to provide for the holding of town meetings at the time of the general elections." (No. 1779, Int. No. 1320.)

"An act to reappropriate certain unexpended balances of former appropriations." (No. 1772, Int. No. 1305.)

"An act to provide the means, and making appropriations to pay the expenses of superintendence, maintenance and ordinary repairs of the canals for the fiscal year beginning on the first day of October, 1898." (No. 494, Int. No. 463.)

Which report was agreed to, and said bills ordered made special orders on second and third reading.

Mr. Speaker, from the committee on rules; to which was referred the following entitled bills, reported in favor of the passage of the same, and that the same be made special orders on third reading immediately after the consideration of the special orders on second and third reading heretofore reported:

"An act to prevent evils and abuses in connection with the placing out of children." (No. 1737, Int. 759.)

"An act to amend an act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof." (No. 1624, Int. 1261.)

"An act to amend the fisheries, game and forest law, relative to fishing for, catching or killing black bass, Oswego bass, pickerel, pike or wall-eyed pike; close season." (No. 1789, Int. No. 1137.)

Senate, "An act relative to the bridge over the East river authorized to be constructed by chapter 789 of the Laws of 1895." (No. 936, Rec. No. 288.)

"An act to amend chapter 298 of the Laws of 1883, entitled "An act to provide for the government of the city of Albany," and the several acts amendatory thereof." (No. 1591, Int. No. 1217.)

"An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens." (No. 1755, Int. No. 810.)

"An act to amend the Tax Law, relating to payment of State tax." (No. 1187, Int. No. 983.)

Senate, "An act to amend chapter 355 of the Laws of 1895, entitled 'An act to incorporate the Children's Aid Society of Rochester.'" (No. 234, Assembly reprint No. 1751, Rec. No. 26.)

"An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof and supplementary thereto, in relation to taxes." (No. 1653, Int. No. 499.)

"An act to amend chapter 58 of the Laws of 1890, entitled 'An

act to incorporate the city of Corning,' and the acts amendatory thereof and supplemental thereto." (No. 1749, Int. No. 448.)

"An act to amend chapter 125 of the Laws of 1842, entitled 'An act to condense and amend the several acts relating to the village of Albion,' and the several acts amendatory thereof." (No. 1445, Int. No. 1111.)

"An act to provide for the building of a dam across the Saranac river at Saranac lake, and making an appropriation therefor." (No. 1562, Int. No. 1203.)

Senate, "An act to incorporate the city of New Rochelle." (No. 934, Rec. No. 262.)

- Which report was agreed to, and said bills ordered made special orders on third reading immediately after the consideration of the special orders on second and third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, and that the same be made special orders on second and third reading immediately after the consideration of special orders on third reading heretofore reported :

"An act to incorporate the Merchants' Transportation and Storage Company." (No. 1595, Int. No. 1221.)

"An act to amend the Labor Law, relating to the designation of deputy factory inspectors for the enforcement of provisions of such law concerning the employment of labor on public works." (No. 1376, Int. No. 1090.)

"An act to provide for an investigation into the causes of contagious abortion in cows and the best means of its prevention in the dairy herds of the State." (No. 1765, Int. No. 1297.)

"An act amending the Public Health Law, in relation to the appraisal of horses affected with glanders, and the compensation to owners thereof for such horses killed pursuant to law." (No. 1326, Int. No. 1045).

Senate, "Concurrent resolution proposing an amendment to section 2, of article 6 of the Constitution." (No. 150, Rec. No. 63.)

Senate, "An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof, by establishing a board of fire commissioners, and by fixing the salaries of various city officers and otherwise." (No. 851, Rec. No. 236.)

Senate, "An act to incorporate the New York Realty Bond, Exchange and Trust Company." (No. 631, Rec. No. 170.)

"An act to amend chapter 215 of the Laws of 1840, entitled 'An act to incorporate the Atlantic Dock Company,' extending the corporate existence of said company." (No. 1444, Int. No. 1110.)

"An act to prevent the use of prison manufactures in the public schools." (No. 791, Int. No. 706.)

"An act relating to the discontinuance of proceedings for the improvement of certain streets in the Twenty-sixth ward of the late city of Brooklyn." (No. 1253, Int. No. 1008.)

Senate, "An act in relation to local improvement bonds of the late town of Gravesend." (No. 506, Rec. No. 99.)

Senate, "An act to provide for the election of successors to town officers of the town of Wheatfield, county of Niagara, residing within the city of North Tonawanda." (No. 549, Rec. No. 93.)

"An act to amend the Labor Law, in relation to stone used in State or municipal works." (No. 1509, Int. 1198.)

Senate, "An act to authorize the Court of Claims to hear, audit and determine alleged claims for military uniforms and repairs thereto, for the National Guard of the State of New York, and to make an award therefor." (No. 919, Rec. No. 274.)

Senate "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite in one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to clerk to sign warrant." (No. 695, Rec. No. 191.)

"An act to provide a tax budget, and to levy taxes in that portion of The City of New York heretofore known as Long Island City." (No. 1263, Int. No. 1018.)

"An act relating to the repavement of Berry street, in the borough of Brooklyn, City of New York, and the payment thereof." No. 717, Int. No. 645.)

"An act to incorporate the Electric Water Power Company of Oneonta, Otsego county." (No. 1763, Int. No. 1295.)

"An act to provide for pensioning policemen, after twenty years of service, in cities of the third class." (No. 1332, Int. No. 1051.)

Senate, "An act declaring Independence creek or river, in the counties of Lewis and Herkimer, a public highway, and providing means for the assessment of damages to riparian owners thereof." (No. 986, Rec. No. 298.)

"An act to incorporate the Jansen-Kil Electric Power Company, of Hudson, Columbia county, New York." (No. 1527, Int. No. 955.)

Senate, "An act in relation to license fees for public exhibitions and for the payment of a part thereof to the Actors' Fund of America." (No. 742, Rec. No. 189.)

Senate, "An act to provide for the payment of compensation to Rufus G. Beardslee, for services as counsel to the board of education of The City of New York, and authorizing the board of estimate and apportionment of The City of New York to audit and allow the amount that may be justly due." (No. 894, Rec. No. 300.)

Senate, "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city.'" (No. 950, Rec. No. 319.)

Senate, "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof." (No. 978, Rec. No. 318.)

Senate, "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof." (No. 975, Rec. No. 320.)

Senate, "An act making an appropriation for the construction of a bridge over the Erie canal, at Main street, in the village of Pittsford." (No. 72, Rec. No. 23.)

"An act to amend section 3228 of the Code of Civil Procedure, relating to costs to which the plaintiff is entitled of course." (No. 1738, Int. No. 189.)

"An act to provide for the repair of streets, avenues and public places after the completion of public improvements therein." (No. 1593, Int. No. 1219.)

"An act to amend chapter 710 of the Laws of 1895, entitled 'An act to establish the office of comptroller in the city of Mount Ver-

non, providing for the appointment of such officer and defining his rights and duties.'” (No. 617, Int. No. 572.)

Which report was agreed to, and said bills ordered made special orders on second and third reading, immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker announced the special order, being the bill (No. 1521) entitled “An act to provide for boards of elections in cities divided into boroughs” (Int. No. 1079.)

Said bill having been announced for a third reading,

Mr. Marshall moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended to read as follows :

AN ACT to amend section eleven of chapter nine hundred and nine of the laws of eighteen hundred and ninety-six, known as the election law, constituting chapter six of the general laws, as amended by chapter four hundred and ten of the laws of eighteen hundred and ninety-seven, relating to election officers.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section eleven of chapter nine hundred and nine of the laws of eighteen hundred and ninety-six, known as the election law, constituting chapter six of the general laws, as amended by chapter four hundred and ten of the laws of eighteen hundred and ninety-seven, is hereby amended to read as follows :

§ 11. Election officers ; designation, number and qualifications. Subdivision 1.— There shall be in every election district of this state the following election officers, namely, four inspectors, two poll clerks and two ballot clerks, whose term of office shall be for one year from the date of their appointment or election, and who shall serve at every general, special or other election held within their districts during such term. No person shall be appointed or elected an inspector of election, poll clerk or ballot clerk who is not a qualified elector of the city, or of the election district of the town in which he is to serve, of good character, able to speak and read the English language understandingly, and to write it legibly, or who is a candidate for any office to be voted for by the electors of the district in which he is to serve, other than that of inspector of election ; or, who has been convicted of a felony and not restored to citizenship or who holds any public office except notary public or commissioner of deeds, town or village assessor, justice of the peace, village trustee, water commissioner, officer of a school district, overseer of highways, whether elected or appointed, or who is employed in any public office or by any public officer whose services are paid for out of the public moneys other than is excepted herein.

Each class of such officers shall be equally divided between the two political parties, which at the last preceeding election for governor, polled the highest and next highest number of votes for such office in the state.

Subdivision 2. In every city which, by the terms and provisions of its charter, is divided into two or more boroughs, there shall be a board of elections for each borough, the members of which shall be known and denominated as commissioners of election. In a borough having a population of eight hundred thousand and upwards, according to the last preceding United States or state enumeration or census the board of elections shall consist of four members; in a borough having less than eight hundred thousand population according to such enumeration or census, the board of elections shall consist of two members. The term of office of each member of such board in the respective boroughs shall be five years from the day of appointment, but any commissioner may continue to serve after the expiration of his term until his successor shall be appointed and shall have qualified. No commissioner shall be removed except for cause on charges made in writing and after opportunity to be heard.

Subdivision 3. On the first day of May, in the year eighteen hundred and ninety-eight, or within ten days thereafter, and on or within ten days after the first day of May in every fifth year thereafter, the mayor of the city constituted of boroughs shall appoint commissioners of election for each borough in the number and for the term by this act provided, each of whom shall be a resident and voter of the borough in which he shall serve; and not more than two members of each board composed of four commissioners, and not more than one member of each board composed of two commissioners shall be of the same political faith and party. In case of the removal, resignation or death of any commissioner of election, his successor shall be appointed within ten days after the happening of such vacancy for the remainder of the term of such commissioner, the person so appointed to be of like political party and faith with the commissioner whose vacancy is to be filled, and shall be appointed in like manner. No person holding any public office either under the United States, state, county or municipal government, excepting the office of notary public or commissioner of deeds, nor any clerk, employe or subordinate of any department or bureau in said city shall be eligible to appointment as a commissioner of election; and all votes cast at any general or special election for any person who shall have served as such commissioner during any time or portion of one hundred days immediately preceding such election for any office shall be absolutely void and of no effect. Every person who shall be appointed a commissioner of election in accordance with the provisions of this act shall, before entering upon the performance of the duties of his office, take and subscribe the oath of office prescribed by law and shall file the same in the office of the clerk of the city.

Subdivision 4. The board of elections in each borough may elect by a majority vote or in case they cannot so elect may choose by lot one of its members president of the board. The commissioners when the said board consists of four members and commissioner when the said board consists of two members, of one and the same political faith and party shall have power to appoint a secretary or clerk, and to remove him from office, and the remaining commissioners or commissioner representing the other political party shall have power to appoint another secretary or clerk, and to remove him from office; and the said board shall have power to appoint such other clerks, assistants and subordinates and to secure such room or rooms as may be necessary for the transaction of its business. Appointments authorized in this section and any promotions may be made according to such rules and regulations as each of said boards shall itself determine.

Subdivision 5. The salaries of the commissioners composing each said board of elections and their secretaries, clerks, assistants and subordinates, and the necessary expenses of each said board, and the legal compensation of all registrars, inspectors and canvassers of election, poll clerks and ballot clerks as may be appointed by law, the cost and expenses of all necessary election notices, posters, cards, maps, advertisements, registries, books, pamphlets and blanks, official and sample ballots and stationery, the rent and cost of fitting up, warming, lighting, cleaning, and safe keeping of all places of registration and polling places, the building, care of and repair of voting booths and buildings for registering and polling places, together with guard rails and all furniture appertaining thereto, of furnishing, repairing, storing and carting ballot boxes, buildings, booths, guard rails and furniture, and all supplies of every kind and nature for all elections in the borough, and such insurance and in such amount as may to said board of elections seem just on any property, real or personal, in the care, keeping and custody of said board, shall be a borough charge, and shall, upon proper certificate and vouchers, after audit by the proper auditing officer of the city, be paid by the comptroller of the city. And all such expenses and charges herein enumerated and provided, of whatever name or nature shall be reimbursed to the city by tax levied and assessed and collected from and upon the taxable property, real and personal, within the boroughs respectively as may be. Said board of elections in and for the respective boroughs may make requisition on the comptroller of the city for such sums as shall be necessary for the payment of expenses and charges in the conduct of their office as allowed by law, and the board of estimate and apportionment and municipal assembly of the city shall estimate and apportion the amount of money required to meet and pay the expenses and charges allowed for the several boards of elections and the same shall be included in the annual budget each year, be raised and paid as in this section provided. Each commis-

sioner of election in a borough of eight hundred thousand population and over shall receive a salary of four thousand dollars annually, payable in equal monthly installments; and each secretary or chief clerk in such borough shall receive a salary to be fixed by the board but not exceeding three thousand dollars per annum, payable in monthly installments; each commissioner of election in a borough containing less than eight hundred thousand population shall receive an annual salary of two thousand dollars, payable in equal monthly installments, and each secretary or chief clerk in such borough shall receive an annual salary to be fixed by the board but not to exceed fifteen hundred dollars, payable monthly. The compensation of other clerks, assistants and subordinates except as otherwise fixed by law, shall be regulated and determined by the board of elections of the borough as in its judgment shall be reasonable and just.

Subdivision 6. All rights, powers, authority, "duties and obligations immediately heretofore and now by law vested in or imposed upon any board of elections or the commissioners or either of them comprising such board, or upon the police commissioner of the mayor, municipal assembly, aldermen and commonalty of any city divided into boroughs, or upon any superintendent of elections, shall with respect to elections forthwith by force and effect of this act be transferred to and continue in the board of elections in each said boroughs of said city created by this act. The board of elections of any city constituted and comprised of boroughs, not created by this act, and the term and tenure of office of any commissioner comprising such board, and each of them, and of any election bureau the control and administration of which may be vested in or imposed upon the police board or commissioners of said city, are hereby abolished.

Subdivision 7. The board of elections in each borough as created and constituted by this act shall have cognizance and control of all matters pertaining to elections in said borough, and of the officers, employes, affairs and administration of said board and may make and adopt such rules and regulations not inconsistent with law governing elections, as may be proper and necessary to carry out and enforce the provisions of this act.

Subdivision 8. All acts and parts of acts so far as inconsistent or in conflict with this act are hereby repealed.

§ 2. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Marshall, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ackert	Dillon	Hubbard	Murray	Sears
Addis	Donnelly	Ives	Myers J C	Simmons
Adler	Dutton	Johnson	Nixon	Sloan
Allds	Egan	Kelsey	O'Connor	Smith E LaG
Armstrong	Eldridge	Kullman	Oliver	Stedman
Axtell	Ellis	Laimbeer	Palmer	Stoneman
Boland	Finn	Litchard	Paris	Streifler
Bondy	Fish	Lowenthal	Patton	Taylor
Brennen J F	Fordyce	Mahar	Perkins	Ten Eyck
Brewster	Fuller	Maloney	Pickett	Tiffany
Brown	Glaser	Marshall	Pierce	Tompkins
Burr	Goodsell	Martin	Post	Trainor
Clark A L	Graney	Matteson	Raplee	Tremper
Clark C J	Green	McEwan	Reisert	Van Rens'aer
Collins	Greenwood	McGuire	Roche	Vroman
Costello	Griggs	McKeon	Russell	Wallace
Coughtry	Haight	McLaughlin	Sage	Weekes
Cowles	Hanna	Meyer G W	Sanford	Weill
Crabtree	Harburger	Miles	Schmid A F	Wicke
Cross	Hays	Mitchell	Schmid F	Williams
Cullen	Hill	Mohring	Schultz	Witter
Davis	Hoes	Mullaney	Schulum	Wright
DeGraw	Hoffman	Murphy		

113

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Baker, Holbert, Cottle, Mason, Seligsburg, Peterson, Zimmerman, Gallagher, Delaney, Vincent, Whipple, Miller, Redington, Hachmeister, Evarts, E. C. Brennan, Gale, Sinsheimer, Hatch and Hutton, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 1004), entitled "An an act further to provide for the office of in-

spector of construction, alteration and repairs of public buildings in the county of Kings, and to define certain powers and duties." (Int. No. 861.)

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 64 }

Those who voted in the affirmative, were

Addis	Cross	Hill	Miller	Stoneman
Adler	Davis	Hoes	Murphy	Taylor
Allds	DeGraw	Holbert	Nixon	Ten Eyck
Armstrong	Delaney	Ives	Paris	Tiffany
Axtell	Dutton	Johnson	Patton	Tremper
Baker	Eldridge	Kelsey	Perkins	Tripp
Bondy	Ellis	Laimbeer	Peterson	Van Rens' aer
Brennan E C	Evarts	Litchard	Pierce	Vincent
Brewster	Fish	Lowenthal	Post	Wallace
Burr	Fordyce	Marshall	Raplee	Weekes
Clark A L	Fuller	Martin	Russell	Whipple
Clark C J	Goodsell	Mason	Sears	Williams
Costello	Greenwood	Matteson	Simmons	Witter
Cottle	Hanna	McEwan	Sloan	Zimmerman
Coughtry	Hatch	McLaughlin	Smith E La G	Speaker
Cowles	Hays	Miles	Stedman	

Those who voted in the negative, were

Ackert	Fitzgerald	Hubbard	Oliver	Seligsberg
Boland	Gale	Hutton	Palmer	Shoeneck
Brennen J F	Gallagher	Kullman	Phillips	Sinsheimer
Brown	Gibney	Mahar	Pickett	Streifler

Cain	Glaser	McGuire	Redington	Sullivan
Collins	Graney	McKeown	Reisert	Tompkins
Crabtree	Green	Meyer G W	Roche	Trainor
Cullen	Griggs	Mitchell	Sage	Van Hoesen
Dillon	Guider	Mohring	Sanford	Vroman
Donnelly	Hachemeis'r	Mullany	Schmid A F	Weill
Egan	Haight	Murray	Schmid F	Wicke
Farrell	Harburger	Meyers J C	Schultz	Wright
Finn	Hoffman	O'Connor	Schulum	

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kelsey in the chair.

The Speaker announced the special order, being the Senate bill (No. 903) entitled "An act to amend the Banking Law, in relation to verification of reports." (Rec. No. 270.)

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Hill moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, not a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 75 }
{ NOES 55 }

Those who voted in the affirmative, were

Adler	Cross	Hill	McLaughlin	Simmons
Allds	Davis	Hoes	Miles	Smith E LaG
Armstrong	DeGraw	Holbert	Miller	Stedman
Axtell	Delaney	Ives	Murphy	Stoneman
Baker	Eldridge	Johnson	Nixon	Ten Eyck
Bondy	Ellis	Kavanaugh	Paris	Tiffany
Brennan EC	Evarts	Kelly	Patton	Tripp
Brewster	Fish	Kelsey	Perkins	Van Rens'lae
Burr	Fordyce	Laimbeer	Peterson	Wallace

Clark A L	Glaser	Litchard	Pierce	Weekes
Clark C J	Goodsell	Lowenthal	Post	Weill
Costello	Greenwood	Martin	Raplee	Whipple
Cottle	Hanna	Mason	Russell	Williams
Coughtry	Hatch	Matteson	Sears	Witter
Cowles	Hays	McEwan	Seligsberg	Zimmerman

Those who voted in the negative, were

Ackert	Egan	Haight	Murray	Schultz
Addis	Farrell	Harburger	O'Connor	Shoeneck
Boland	Fritz	Hoffman	Oliver	Sinsheimer
Brennen J F	Fuller	Hubbard	Palmer	Sloan
Cain	Gale	Kullman	Phillips	Sullivan
Collins	Gallagher	Mahar	Pickett	Tremper
Crabtree	Gibney	Marshall	Redington	Van Hoesen
Cullen	Graney	Myers J C	Reisert	Vincent
Dale	Green	Mitchell	Sage	Vroman
Dillon	Griggs	Mohring	Sanford	Wicke
Donnelly	Hachemeis'r	Mullany	Schmid A F	Wright

Mr. Hill moved to reconsider the vote by which said bill was lost and that said motion be laid upon the table.

The Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ackert	Delaney	Hatch	Mitchell	Sears
Addis	Dillon	Hays	Mohring	Shoeneck
Adler	Donnelly	Hill	Mullany	Simmons
Allds	Dutton	Hoes	Murphy	Sinsheimer
Armstrong	Egan	Hoffman	Murray	Smith E LaG
Axtell	Eldridge	Holbert	Nixon	Stedman
Baker	Ellis	Hutton	O'Connor	Stoneman
Boland	Evarts	Ives	Oliver	Streifler
Bondy	Farrell	Johnson	Palmer	Sullivan
Brennan E C	Finn	Kelly	Paris	Taylor
Brennen J F	Fish	Kelsey	Patton	Ten Eyck
Brewster	Fitzgerald	Kullman	Perkins	Tiffany
Brown	Fordyce	Laimbeer	Peterson	Tremper
Burr	Fritz	Litchard	Phillips	Tripp
Cain	Fuller	Lowenthal	Pierce	Van Hoesen

Clark A L	Gale	Mahar	Post	Van Rens'aer
Clark C J	Gallagher	Marshall	Raplee	Vincent
Collins	Glaser	Martin	Redington	Vroman
Costello	Goodsell	Mason	Reisert	Wallace
Cottle	Graney	Matteson	Roche	Weekes
Coughtry	Green	McEwan	Russell	Weill
Cowles	Greenwood	McGuire	Sage	Whipple
Crabtree	Griggs	McKeown	Sanford	Wicke
Cross	Guider	McLaughlin	Schmid A F	Williams
Cullen	Haight	Meyer G W	Schmid F	Witter
Dale	Hanna	Miles	Schultz	Wright
Davis	Harburger	Miller	Schulum	Zimmerman
DeGraw				136

The Clerk furnished a list of absentees to the Sergeant-at-Arms who appeared in due time before the bar of the House, with Messrs. Kavanaugh and Sloan each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker resumed the chair.

Mr. Speaker announced the special order being the Senate bill (No. 479, Assembly reprint No. 1714) entitled "An act to amend the Public Officers Law." (Rec. No. 194.)

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	80	}
{	NOES	66	}

Those who voted in the affirmative, were

Addis	Cross	Hill	Miles	Stedman
Adler	Davis	Hoes	Miller	Stoneman
Allds	DeGraw	Holbert	Murphy	Taylor
Armstrong	Delaney	Ives	Nixon	Ten Eyck
Axtell	Dutton	Johnson	Paris	Tiffany
Baker	Eldridge	Kavanaugh	Patton	Tremper
Bondy	Ellis	Kelsey	Perkins	Tripp
Brennan E C	Evarts	Laimbeer	Peterson	Van Rens'aer
Brewster	Fish	Litchard	Pierce	Vincent
Burr	Fordyce	Lowenthal	Post	Wallace
Clark A L	Fuller	Marshall	Raplee	Weekes
Clark C J	Goodsell	Martin	Russell	Whipple
Costello	Greenwood	Mason	Sears	Williams
Cottle	Hanna	Matteson	Simmons	Witter
Coughtry	Hatch	McEwan	Sloan	Zimmerman
Cowles	Hays	McLaughlin	Smith E La G	Speaker

Those who voted in the negative, were

Ackert	Fitzgerald	Hoffman	Murray	Schultz
Boland	Fritz	Hubbard	Myers J C	Schulum
Brennen J F	Gale	Hutton	O'Connor	Seligsberg
Brown	Gallagher	Kelly	Oliver	Shoeneck
Cain	Gibney	Kullman	Palmer	Sinsheimer
Collins	Glaser	Mahar	Phillips	Streifler
Crabtree	Graney	Maloney	Redington	Sullivan
Cullen	Green	McGuire	Reisert	Trainor
Dale	Griggs	McKeown	Roche	Van Hoesen
Dillon	Guider	Meyer G W	Sage	Vroman
Donnelly	Hachemeis'r	Mitchell	Sanford	Weill
Egan	Haight	Mohring	Schmid A F	Wicke
Farrell	Harburger	Mullany	Schmid F	Wright
Finn				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 725) entitled "An act making an appropriation for continuing the acquisition of land in the Adirondack park." (Rec. No. 302.)

On motion of Mr. Nixon, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 89
NOES 5

Those who voted in the affirmative, were

Ackert	Davis	Hachemeis'r	Meyer G W	Sears
Addis	DeGraw	Haight	Miller	Simmons
Adler	Dillon	Harburger	Mitchell	Sloan
Armstrong	Donnelly	Hill	Mullany	Smith E LaG
Axtell	Egan	Hoes	Murray	Stedman
Boland	Ellis	Hubbard	Myers J C	Streifler
Bondy	Farrell	Johnson	O'Connor	Taylor
Brennen J F	Finn	Kavanaugh	Oliver	Ten Eyck
Brown	Fitzgerald	Kullman	Paris	Tompkins
Burr	Fordyce	Laimbeer	Perkins	Tremper
Chanler	Fuller	Lowenthal	Phillips	Tripp
Clark A L	Gale	Mahar	Pierce	Van Rens'aer
Collins	Gallagher	Maloney	Raplee	Vincent
Cottle	Glaser	Marshall	Redington	Weekes
Coughtry	Graney	Mason	Roche	Whipple
Crabtree	Green	Matteson	Sage	Williams
Cullen	Greenwood	McGuire	Schmid A F	Witter
Dale	Guider	McLaughlin	Schultz	

Those who voted in the negative, were

Hatch	Ives	Kelsey	Miles	Palmer
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Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 998), entitled "An act to amend section 4 of chapter 585 of the Laws of 1865, entitled 'An act to establish the Cornell University, and to appropriate to it the income of the sale of public lands granted to this State by Congress on the 2d day of July, 1862; also

to restrict the operation of chapter 511 of the Laws of 1863" (Rec. No. 316.)

On motion of Mr. Johnson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoffman	Mohring	Simmons
Addis	Egan	Holbert	Murphy	Sinsheimer
Allds	Eldridge	Hubbard	Myers J C	Sloan
Armstrong	Evarts	Hutton	Nixon	Smith E LaG
Baker	Finn	Ives	O'Connor	Stedman
Bondy	Fish	Johnson	Oliver	Stoneman
Brennen J F	Fordyce	Kelly	Paris	Streifler
Brown	Fritz	Kelsey	Patton	Taylor
Burr	Gale	Kullman	Peterson	Tiffany
Cain	Gallagher	Laimbeer	Pickett	Tompkins
Clark A L	Glaser	Mahar	Post	Tremper
Clark C J	Goodsell	Maloney	Redington	Tripp
Costello	Green	Marshall	Reisert	Van Hoesen
Cottle	Greenwood	Martin	Roche	Vincent
Coughtry	Guider	Matteson	Russell	Vroman
Crabtree	Hachemeis'r	McEwan	Sanford	Weekes
Cross	Hanna	McKeown	Schmid F	Weill
Dale	Harburger	McLaughlin	Schultz	Wicke
DeGraw	Hays	Miles	Sears	Williams
Dillon	Hoes	Miller	Shoeneck	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 654, Assembly reprint No. 1730) entitled "An act to promote education in forestry, to encourage and provide for the establish-

ment of a college of forestry at Cornell university, and making an appropriation therefor." (Rec. No. 129.)

On motion of Mr. Johnson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Cross	Harburger	Miller	Seligsberg
Addis	Dale	Hill	Mitchell	Simmons
Adler	Davis	Hoffman	Mullany	Sloan
Allds	Delaney	Hubbard	Murray	Stedman
Armstrong	Dillon	Hutton	Nixon	Stoneman
Baker	Dutton	Johnson	O'Connor	Sullivan
Bondy	Eldridge	Kelly	Palmer	Ten Eyck
Brennan EC	Ellis	Kelsey	Paris	Tompkins
Brennen J F	Evarts	Kullman	Perkins	Tremper
Brewster	Finn	Laimbeer	Peterson	Tripp
Brown	Fish	Litchard	Pickett	Van Rens'aer
Burr	Fordyce	Mahar	Pierce	Vincent
Cain	Fritz	Maloney	Raplee	Wallace
Clark A L	Gale	Marshall	Redington	Weekes
Clark C J	Gallagher	Martin	Roche	Whipple
Collins	Glaser	Mason	Russell	Wicke
Costello	Graney	McEwan	Sanford	Williams
Cottle	Greenwood	McGuire	Schmid A F	Witter
Coughtry	Griggs	McLaughlin	Schultz	Wright
Cowles	Hachemeis'r	Meyer G W	Sears	Zimmerman
Crabtree				

In the negative,
Hanna

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Speaker announced the special order, being the Senate bill (No. 944) entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State, relating to the care and custody of the insane, the management of the asylums for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy,' relating to transfers from State hospitals to the Matteawan State Hospital." (Rec. No. 310.)

On motion of Mr. Miles, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Ellis	Hoes	Mohring	Smith E La G
Adler	Evarts	Hoffman	Murphy	Stedman
Allds	Farrell	Holbert	Myers J C	Streifler
Baker	Finn	Hubbard	Nixon	Sullivan
Boland	Fitzgerald	Hutton	Oliver	Ten Eyck
Brennan E C	Fordyce	Johnson	Paris	Tiffany
Brewster	Fritz	Kavanaugh	Patton	Tompkins
Brown	Gale	Kelly	Peterson	Tremper
Cain	Gallagher	Kullman	Pickett	Tripp
Clark A L	Gibney	Litchard	Post	Van Hoesen
Collins	Goodsell	Lowenthal	Redington	Vincent
Cottle	Graney	Mahar	Roche	Vroman
Coughtry	Greenwood	Maloney	Sage	Wallace
Crabtree	Griggs	Marshall	Sanford	Weill
Cullen	Guider	Mason	Schmid A F	Whipple
Davis	Haight	McEwan	Schultz	Wicke
Delaney	Hanna	McGuire	Schulum	Williams
Dillon	Harburger	McLaughlin	Sears	Witter
Donnelly	Hatch	Miles	Shoeneck	Wright
Dutton	Hays	Miller	Simmons	Zimmerman
Eldridge	Hill	Mitchell	Sloan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 901) entitled "An act directing the Adjutant-General to deliver the battle flags of the Ninety-seventh Regiment of New York State Volunteers to the trustees or managers of the Munson Williams Memorial Hall of Utica." (Rec. No. 277.)

On motion of Mr. Williams, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hill	Mitchell	Shoeneck
Addis	Egan	Hoes	Mohring	Simmons
Adler	Eldridge	Hoffman	Murphy	Sloan
Armstrong	Ellis	Holbert	Murray	Smith ELAG
Axtell	Evarts	Hutton	Myers J C	Stedman
Baker	Farrell	Ives	Nixon	Stoneman
Boland	Finn	Johnson	Oliver	Streifler
Bondy	Fish	Kavanaugh	Palmer	Sullivan
Brennan E C	Fitzgerald	Kelly	Paris	Taylor
Brennen J F	Fordyce	Kelsey	Patton	Ten Eyck
Brewster	Fritz	Laimbeer	Perkins	Tiffany
Brown	Fuller	Litchard	Peterson	Tompkins
Burr	Gale	Lowenthal	Phillips	Trainor
Chanler	Gallagher	Mahar	Pickett	Tremper
Clark A L	Gibney	Maloney	Pierce	Tripp
Clark C J	Glaser	Marshall	Post	Van Hoesen
Costello	Goodsell	Martin	Redington	Vincent
Cottle	Green	Mason	Reisert	Vroman
Coughtry	Greenwood	Matteson	Roche	Wallace
Crabtree	Griggs	McEwan	Russell	Weill

Cross	Guider	McGuire	Sanford	Whipple
Cullen	Hachemeis'r	McKeown	Schmid A F	Wicke
Dale	Haight	McLaughlin	Schmid F	Williams
Davis	Hanna	Miles	Schultz	Wright
DeGraw	Harburger	Miller	Seligsberg	Zimmerman
Delaney	Hays			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 915) entitled "An act to legalize certain assessments." (Rec. No. 283.)

On motion of Mr. Perkins, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Harburger	Mullany	Simmons
Addis	Dutton	Hays	Murray	Sloan
Adler	Egan	Hill	Myers J C	Smith E LaG
Armstrong	Eldridge	Hoffman	Nixon	Stedman
Axtell	Ellis	Holbert	O'Connor	Stoneman
Boland	Evarts	Hutton	Palmer	Streifer
Bondy	Farrell	Ives	Patton	Taylor
Brennen J F	Finn	Kavanaugh	Perkins	Ten Eyck
Brewster	Fish	Kelsey	Peterson	Tompkins
Brown	Fitzgerald	Kullman	Pickett	Trainor
Burr	Fordyce	Mahar	Pierce	Tripp
Chanler	Fritz	Maloney	Post	Van Hoesen
Clark C J	Fuller	Martin	Raplee	Vincent
Collins	Gale	Mason	Reisert	Vroman
Cottle	Gibney	Matteson	Roche	Weekes
Coughtry	Glaser	McEwan	Sage	Weill

Crabtree	Graney	McKeown	Sanford	Whipple
Cross	Green	McLaughlin	Schmid F	Wicke
Dale	Griggs	Miles	Schultz	Witter
Davis	Guider	Mitchell	Sears	Wright
DeGraw	Hachemeis'r	Mohring	Seligsberg	Zimmerman
Delaney	Hanna			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1779) entitled "An act to amend the Town Law and the Election Law authorizing the board of supervisors of each county to provide for the holding of town meetings at the time of the general elections" (Int. No. 1320.)

Said bill having been announced for a second reading,

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Donnelly	Hill	Mohring	Sinsheimer
Addis	Dutton	Hoes	Mullany	Sloan
Adler	Egan	Hoffman	Murphy	Smith E LaG
Allds	Eldridge	Holbert	Murray	Stedman
Armstrong	Ellis	Hutton	Myers J C	Stoneman
Axtell	Evarts	Ives	Nixon	Streifler
Baker	Farrell	Johnson	O'Connor	Sullivan
Bondy	Finn	Kavanaugh	Oliver	Taylor
Brennan EC	Fish	Kelly	Palmer	Ten Eyck
Brennen J F	Fitzgerald	Kelsey	Paris	Tiffany
Brewster	Fordyce	Kullman	Patton	Tompkins
Brown	Fritz	Laimbeer	Peterson	Trainor
Burr	Fuller	Litchard	Pierce	Tremper
Cain	Gale	Lowenthal	Post	Tripp
Clark A L	Gallagher	Maloney	Raplee	Van Hoesen
Clark C J	Gibney	Marshall	Redington	Van Rens'aer
Collins	Goodsell	Martin	Reisert	Vincent
Costello	Graney	Mason	Roche	Vroman
Cottle	Green	Matteson	Russell	Wallace
Coughtry	Greenwood	McEwan	Sage	Weekes
Cowles	Griggs	McGuire	Sanford	Whipple
Cross	Guider	McKeown	Schmid A F	Wicke

Dale	Hachemeis'r	McLaughlin	Schultz	Williams
Davis	Hanna	Meyer G W	Schulum	Witter
DeGraw	Harburger	Miles	Sears	Wright
Delaney	Hatch	Miller	Seligsberg	Zimmerman
Dillon	Hays	Mitchell	Shoeneck	134

Mr. Nixon moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Said bill was then read the second time.

Mr. Nixon moved that said bill be placed on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Nixon and it was determined in the affirmative by a rising vote.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 67 }

Those who voted in the affirmative, were

Addis	Cross	Hill	Miles	Stedman
Adler	Davis	Hoes	Miller	Stoneman
Allds	DeGraw	Holbert	Murphy	Taylor
Armstrong	Delaney	Ives	Nixon	Ten Eyck
Axtell	Dutton	Johnson	Paris	Tiffany
Baker	Eldridge	Kavanaugh	Patton	Tremper
Bondy	Ellis	Kelsey	Perkins	Tripp
Brennan EC	Evarts	Laimbeer	Peterson	Van Rens'aer
Brewster	Fish	Litchard	Pierce	Vincent
Burr	Fordyce	Lowenthal	Post	Wallace
Clark A L	Fuller	Marshall	Raplee	Weekes
Clark C J	Goodsell	Martin	Russell	Whipple
Costello	Greenwood	Mason	Sears	Williams
Cottle	Hanna	Matteson	Simmons	Witter
Coughtry	Hatch	McEwan	Sloan	Zimmerman
Cowles	Hays	McLaughlin	Smith E LaG	Speaker

Those who voted in the negative, were

Ackert	Fitzgerald	Hubbard	Myers J C	Schultz
Boland	Fritz	Hutton	O'Connor	Schulum
Brennen J F	Gale	Kelly	Oliver	Seligsberg
Brown	Gallagher	Kullman	Palmer	Shoeneck
Cain	Gibney	Mahar	Phillips	Sinsheimer
Chanler	Glaser	Maloney	Pickett	Streifler
Collins	Graney	McGuire	Redington	Sullivan
Crabtree	Green	McKeown	Reisert	Tompkins
Cullen	Griggs	Meyer G W	Roche	Trainor
Dillon	Guider	Mitchell	Sage	Van Hoesen
Donnelly	Hachemeis'r	Mohring	Sanford	Vroman
Egan	Haight	Mullany	Schmid A F	Wicke
Farrell	Harburger	Murray	Schmid F	Wright
Finn	Hoffman			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Speaker announced the special order, being the bill (No. 1772) entitled "An act to reappropriate certain unexpended balances of former appropriations." (Int. No. 1305.)

On motion of Mr. Taylor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hill	Mohring	Shoeneck
Addis	Egan	Hoes	Mullany	Simmons
Adler	Eldridge	Hoffman	Murray	Sinsheimer
Allds	Ellis	Holbert	Myers J C	Sloan
Axtell	Evarts	Hubbard	Nixon	Stedman
Baker	Farrell	Hutton	O'Connor	Stoneman
Boland	Fish	Ives	Oliver	Streifler
Bondy	Fitzgerald	Johnson	Palmer	Sullivan

Brennen J F	Fordyce	Kavanaugh	Patton	Taylor
Brewster	Fuller	Kelsey	Perkins	Ten Eyck
Burr	Gale	Kullman	Peterson	Tiffany
Cain	Gallagher	Litchard	Phillips	Trainor
Clark A L	Gibney	Lowenthal	Pickett	Tremper
Clark C J	Glaser	Mahar	Pierce	Tripp
Collins	Goodsell	Maloney	Raplee	Van Hoesen
Costello	Graney	Marshall	Redington	Van Rens'aer
Coughtry	Green	Martin	Reisert	Vroman
Cowles	Greenwood	Matteson	Roche	Wallace
Crabtree	Griggs	McEwan	Russell	Weill
Cross	Guider	McGuire	Sage	Whipple
Cullen	Hachemeis'r	McKeown	Schmid A F	Wicke
Dale	Haight	McLaughlin	Schmid F	Williams
DeGraw	Hanna	Miles	Schultz	Witter
Delaney	Harburger	Miller	Schulum	Wright
Dillon	Hatch	Mitchell	Sears	Zimmerman
Donnelly	Hays			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 494) entitled "An act to provide the means, and making appropriations to pay the expenses of superintendence, maintenance and ordinary repairs of the canals for the fiscal year beginning on the first day of October, 1898." (Int. No. 463.)

On motion of Mr. Taylor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hays	Mitchell	Seligsgberg
Addis	Eldridge	Hill	Mohring	Shoeneck
Adler	Ellis	Hoes	Mullany	Simmons
Allds	Evarts	Hoffman	Murphy	Smith E LaG

Armstrong	Finn	Holbert	Myers J C	Stedman
Axtell	Fish	Hubbard	Nixon	Stoneman
Baker	Fitzgerald	Hutton	O'Connor	Sullivan
Bondy	Fordyce	Ives	Oliver	Taylor
Brennan E C	Fritz	Kavanaugh	Paris	Ten Eyck
Brennen J F	Fuller	Kelly	Patton	Tiffany
Brown	Gale	Kelsey	Perkins	Tompkins
Burr	Gallagher	Kullman	Peterson	Trainor
Chanler	Gibney	Laimbeer	Phillips	Tremper
Clark A L	Glaser	Litchard	Pickett	Tripp
Clark C J	Goodsell	Maher	Post	Van Hoesen
Costello	Graney	Maloney	Raplee	Van Rens'aer
Cottle	Green	Marshall	Redington	Vincent
Coughtry	Greenwood	Martin	Reisert	Vroman
Cowles	Griggs	Mason	Roche	Weekes
Cross	Guider	Matteson	Russell	Weill
Cullen	Hachemeis'r	McEwan	Sanford	Whipple
Dale	Haight	McGuire	Schmid A F	Wicke
Davis	Hanna	McLaughlin	Schmid F	Williams
Delaney	Harburger	Meyer G W	Schultz	Wright
Dillon	Hatch	Miller	Sears	Zimmerman
Dutton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1642) entitled "An act to amend the Religious Corporations Law, generally" (Int. No. 940), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hatch	Mohring	Schulum
Addis	Dillon	Hays	Mullany	Sears
Adler	Donnelly	Hill	Murphy	Shoeneck
Allds	Dutton	Hoffman	Murray	Simmons
Armstrong	Egan	Hubbard	Myers J C	Sinsheimer

Axtell	Eldridge	Hutton	Nixon	Sloan
Baker	Ellis	Johnson	O'Connor	Smith E La G
Boland	Evarts	Kelly	Oliver	Stedman
Bondy	Farrell	Kelsey	Palmer	Stoneman
Brennen J F	Finn	Kullman	Paris	Streifler
Brewster	Fish	Litchard	Patton	Taylor
Brown	Fitzgerald	Lowenthal	Perkins	Ten Eyck
Burr	Fordyce	Mahar	Peterson	Tompkins
Cain	Fritz	Maloney	Phillips	Trainor
Chanler	Fuller	Marshall	Pickett	Tremper
Clark A L	Gallagher	Martin	Pierce	Tripp
Clark C J	Gibney	Mason	Raplee	Van Hoesen
Collins	Glaser	Matteson	Redington	Vincent
Costello	Goodsell	McEwan	Reisert	Vroman
Cottle	Graney	McGuire	Roche	Weekes
Coughtry	Green	McKeown	Russell	Weill
Cowles	Greenwood	McLaughlin	Sage	Whipple
Crabtree	Guider	Meyer G W	Sanford	Williams
Cullen	Hachemeis'r	Miles	Schmid A F	Witter
Dale	Haight	Miller	Schmid F	Wright
Davis	Harburger	Mitchell		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1631) entitled "An act to amend section 791 of the Code of Civil Procedure" (Int. No. 1073), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hays	Mullany	Simmons
Addis	Dillon	Hill	Murphy	Sinsheimer
Adler	Donnelly	Hoes	Myers J C	Sloan
Allds	Egan	Hoffman	Nixon	Stedman
Armstrong	Eldridge	Hubbard	O'Connor	Stoneman
Axtell	Ellis	Hutton	Palmer	Streifler
Baker	Evarts	Ives	Paris	Sullivan

Boland	Farrell	Johnson	Patton	Taylor
Bondy	Finn	Kavanaugh	Perkins	Ten Eyck
Brennan EC	Fish	Kelly	Peterson	Tiffany
Brennen J F	Fitzgerald	Kelsey	Phillips	Tompkins
Brewster	Fritz	Kullman	Pickett	Trainor
Brown	Fuller	Laimbeer	Pierce	Tremper
Burr	Gale	Litchard	Post	Tripp
Chanler	Gallagher	Lowenthal	Raplee	Van Hoesen
Clark A L	Gibney	Mahar	Redington	Van Rens'aer
Clark C J	Glaser	Maloney	Reisert	Vincent
Collins	Goodsell	Marshall	Roche	Vroman
Costello	Graney	Martin	Russell	Wallace
Cottle	Green	Mason	Sage	Weekes
Coughtry	Greenwood	McEwan	Schmid A F	Weill
Crabtree	Griggs	McGuire	Schmid F	Whipple
Cross	Guider	McKeown	Schultz	Wicke
Cullen	Hachemeis'r	Meyer G W	Schulum	Williams
Dale	Haight	Miles	Sears	Witter
Davis	Hanna	Miller	Seligberg	Wright
DeGraw	Harburger	Mitchell	Shoeneck	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate. and request their concurrence therein.

The bill (No. 1632) entitled "An act to amend section 943 of the Code of Criminal Procedure, relating to the duties of county clerks, et cetera" (Int. No. 900), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 128
 } NOES 00

Those who voted in the affirmative, were

Ackert	Dale	Hanna	Miller	Sears
Addis	Davis	Harburger	Mohring	Shoeneck
Adler	DeGraw	Hatch	Mullany	Simmons
Allds	Delaney	Hill	Murphy	Sinsheimer
Armstrong	Dillon	Hoes	Murray	Sloan
Axtell	Donnelly	Hoffman	Nixon	Smith E LaG
Baker	Dutton	Hubbard	O'Connor	Stedman

Boland	Egan	Hutton	Oliver	Stoneman
Bondy	Eldridge	Ives	Palmer	Streifler
Brennan E C	Ellis	Kavanaugh	Paris	Sullivan
Brennen J F	Evarts	Kelly	Patton	Taylor
Brewster	Farrell	Kullman	Perkins	Tiffany
Brown	Finn	Laimbeer	Phillips	Tompkins
Burr	Fish	Litchard	Pickett	Trainor
Cain	Fordyce	Lowenthal	Pierce	Tremper
Chanler	Fritz	Mahar	Post	Van Hoesen
Clark A L	Fuller	Maloney	Raplee	Vincent
Clark C J	Gale	Marshall	Redington	Vroman
Collins	Gallagher	Martin	Roche	Weekes
Costello	Glaser	Mason	Russell	Weill
Cottle	Goodsell	Matteson	Sage	Whipple
Coughtry	Green	McGuire	Sanford	Wicke
Cowles	Greenwood	McKeown	Schmid A F	Williams
Crabtree	Griggs	McLaughlin	Schmid F	Wright
Cross	Guider	Meyer G W	Schultz	Zimmerman
Cullen	Hachemeis'r	Miles		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1635) entitled "An act to amend chapter 173 of the Laws of 1895, entitled "An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions and officers of the county of Erie," in relation to the election of county auditor in Erie county" (Int. No. 858), having been announced for a third reading.

On motion of Mr. Patton, said bill was stricken from the calendar.

The bill (No. 1637) entitled "An act to amend the Village Law, in relation to assessments for pavements" (Int. No. 1050), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hanna	Mitchell	Schulum
Addis	DeGraw	Harburger	Mohring	Sears
Adler	Delaney	Hatch	Mullany	Seligsberg
Allds	Dillon	Hays	Murphy	Shoeneck
Armstrong	Donnelly	Hill	Murray	Simmons
Axtell	Dutton	Hoes	Myers J C	Sinsheimer
Baker	Eldridge	Holbert	Nixon	Sloan
Boland	Ellis	Hubbard	Oliver	Smith E La G
Bondy	Evarts	Ives	Palmer	Stedman
Brennan E C	Farrell	Johnson	Paris	Stoneman
Brennen J F	Finn	Kavanaugh	Patton	Streifler
Brewster	Fish	Kelsey	Perkins	Sullivan
Brown	Fitzgerald	Kullman	Peterson	Ten Eyck
Burr	Fordyce	Laimbeer	Pickett	Tiffany
Cain	Fritz	Litchard	Pierce	Tompkins
Chanler	Fuller	Lowenthal	Post	Tremper
Clark A L	Gale	Mahar	Raplee	Tripp
Clark C J	Gallagher	Maloney	Redington	Van Rens'aer
Collins	Gibney	Marshall	Reisert	Vincent
Costello	Glaser	Mason	Roche	Vroman
Cottle	Goodsell	Matteson	Russell	Weekes
Coughtry	Graney	McEwan	Sage	Weill
Cowles	Green	McKeown	Sanford	Whipple
Crabtree	Greenwood	McLaughlin	Schmid A F	Williams
Cross	Guider	Meyer G W	Schmid F	Witter
Cullen	Haight	Miller	Schultz	Wright
Dale				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1641) entitled "An act to amend chapter 33 of the Laws of 1896, entitled 'An act to extend the time for the completion of the Rhinebeck and Rhinecliff Street Surface Railroad Company'" (Int. No. 868), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Mullany	Simmons
Addis	Donnelly	Hill	Murray	Sinsheimer
Adler	Egan	Hoes	Myers J C	Sloan
Allds	Eldridge	Hoffman	Nixon	Smith E La G
Armstrong	Ellis	Hubbard	O'Connor	Stedman
Axtell	Evarts	Hutton	Oliver	Stoneman
Baker	Farrell	Ives	Palmer	Streifer
Boland	Finn	Kavanaugh	Paris	Sullivan
Bondy	Fitzgerald	Kelly	Patton	Ten Eyck
Brennen J F	Fordyce	Kelsey	Peterson	Tiffany
Brewster	Fritz	Laimbeer	Phillips	Tompkins
Brown	Fuller	Litchard	Pickett	Trainor
Cain	Gallagher	Lowenthal	Pierce	Tremper
Clark A L	Gibney	Mahar	Post	Tripp
Clark C J	Glaser	Maloney	Raplee	Van Hoesen
Costello	Goodsell	Marshall	Reisert	Van Rens'aer
Cottle	Graney	Martin	Roche	Vincent
Coughtry	Green	Matteson	Russell	Vroman
Cowles	Greenwood	McEwan	Sage	Wallace
Crabtree	Guider	McGuire	Schmid A F	Weekes
Cross	Hachemeis'r	McLaughlin	Schmid F	Whipple
Dale	Haight	Meyer G W	Schultz	Wicke
Davis	Hanna	Miles	Schulum	Witter
DeGraw	Harburger	Mitchell	Sears	Wright
Delaney	Hatch	Mohring	Seligsberg	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1708) entitled "An act to amend section 299 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to doormen" (Int. No. 180), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 130 }
} NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Harburger	Miles	Seligsberg
Addis	Davis	Hatch	Mitchell	Simmons
Adler	DeGraw	Hays	Mohring	Sinsheimer
Allds	Dillon	Hill	Mullany	Sloan
Armstrong	Donnelly	Hoes	Murphy	Smith E La G
Axtell	Dutton	Hoffman	Myers J C	Stedman
Baker	Eldridge	Holbert	Nixon	Stoneman
Boland	Ellis	Hubbard	OConnor	Streifler
Bondy	Evarts	Hutton	Palmer	Sullivan
Brennan E C	Farrell	Ives	Paris	Taylor
Brennen J F	Finn	Kavanaugh	Patton	Ten Eyck
Brewster	Fitzgerald	Kelly	Peterson	Tiffany
Brown	Fordyce	Kelsey	Phillips	Tompkins
Burr	Fritz	Laimbeer	Pickett	Trainor
Cain	Fuller	Litchard	Pierce	Tripp
Chanler	Gallagher	Lowenthal	Post	Van Hoesen
Clark A L	Gibney	Mahar	Raplee	Van Rens'aer
Clark C J	Glaser	Maloney	Reisert	Vincent
Collins	Graney	Marshall	Roche	Vroman
Costello	Green	Martin	Russell	Weekes
Cottle	Greenwood	Mason	Sanford	Weill
Coughtry	Griggs	Matteson	Schmid A F	Whipple
Cowles	Guider	McEwan	Schmid F	Williams
Crabtree	Hachemeis'r	McKeown	Schultz	Witter
Cross	Haight	McLaughlin	Schulum	Wright
Cullen	Hanna	Meyer G W	Sears	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1709) entitled "An act to amend the Fisheries, Game and Forest Law, and the act amendatory thereof, relating to the use of nets" (Int. No. 864), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Thoses who voted in the affirmative, were

Ackert	Davis	Hachemeis'r	Miles	Sears
Addis	DeGraw	Haight	Miller	Seligsberg
Adler	Delaney	Hanna	Mitchell	Shoenek
Allds	Dillon	Harburger	Mohring	Simmons
Armstrong	Donnelly	Hatch	Mullany	Sinsheimer
Axtell	Dutton	Hays	Murray	Sloan
Baker	Egan	Hill	Myers J C	Stedman
Boland	Eldridge	Hoes	Nixon	Stoneman
Bondy	Ellis	Holbert	O'Connor	Sullivan
Brennan E C	Evarts	Hubbard	Oliver	Taylor
Brennen J F	Farrell	Hutton	Paris	Ten Eyck
Brewster	Finn	Johnson	Patton	Tiffany
Brown	Fish	Kavanaugh	Perkins	Tompkins
Burr	Fitzgerald	Kelsey	Peterson	Trainor
Cain	Fordyce	Kullman	Pickett	Tremper
Chanler	Fritz	Laimbeer	Pierce	Tripp
Clark A L	Fuller	Litchard	Post	Van Hoesen
Clark C J	Gale	Lowenthal	Raplee	Vincent
Collins	Gallagher	Mhar	Reisert	Vroman
Costello	Gibney	Maloney	Roche	Wallace
Cottle	Glaser	Marshall	Russell	Weill
Coughtry	Goodsell	Mason	Sanford	Whipple
Cowles	Graney	Matteson	Schmid A F	Wicke
Crabtree	Green	McGuire	Schmid F	Witter
Cross	Greenwood	McKeown	Schultz	Wright
Cullen	Guider	McLaughlin	Schulum	Zimmerman
Dale				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 204, Assembly reprint No. 1711) entitled "An act amending the Fisheries, Game and Forest Law, and the act amendatory thereof, in relation to certain fish that may be caught through the ice in lakes and waters named" (Rec. No. 49), was read the third time, having been printed and upon the desks of the

members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Greenwood	McLaughlin	Sears
Addis	Dale	Griggs	Miles	Seligsberg
Adler	Davis	Guider	Miller	Simmons
Allds	DeGraw	Hachemeis'r	Mohring	Sinsheimer
Armstrong	Delaney	Hanna	Murphy	Smith E LaG
Axtell	Dillon	Harburger	Myers J C	Stedman
Baker	Donnelly	Hays	Nixon	Stoneman
Boland	Dutton	Hoes	Oliver	Streifler
Bondy	Egan	Holbert	almer	Sullivan
Brennan E C	Eldridge	Hubbard	Paris	Taylor
Brennen J F	Ellis	Hutton	Perkins	Ten Eyck
Brewster	Evarts	Johnson	Peterson	Tiffany
Brown	Farrell	Kavanaugh	Pickett	Trainor
Burr	Finn	Kelsey	Pierce	Tremper
Cain	Fish	Laimbeer	Raplee	Tripp
Chanler	Fitzgerald	Litchard	Redington	Van Hoesen
Clark A L	Fordyce	Lowenthal	Reisert	Vincent
Clark C J	Fritz	Mahar	Roche	Wallace
Collins	Fuller	Maloney	Russell	Weekes
Costello	Gale	Marshall	Sanford	Whipple
Cottle	Gallagher	Martin	Schmid A F	Wicke
Coughtry	Gibney	Mason	Schmid F	Witter
Cowles	Glaser	Matteson	Schultz	Wright
Crabtree	Graney	McEwan	Schulum	Zimmerman
Cross	Green	McKeown		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1713) entitled "An act to amend the Highway Law by adding a section thereto relating to the application of the proceeds of county road bonds" (Int. No. 958), was read the third time, having been printed and upon the desks of the members in

its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hill	Mitchell	Schulum
Addis	Donnelly	Hoes	Mullany	Seligsberg
Adler	Dutton	Hoffman	Murphy	Shoeneck
Allds	Egan	Holbert	Murray	Simmons
Armstrong	Ellis	Hubbard	Myers J C	Sinsheimer
Axtell	Evarts	Hutton	Nixon	Smith E LaG
Baker	Farrell	Ives	O'Connor	Stedman
Boland	Finn	Johnson	Oliver	Stoneman
Bondy	Fish	Kavanaugh	Palmer	Streifler
Brennen J F	Fitzgerald	Kelsey	Paris	Sullivan
Brewster	Fordyce	Kullman	Patton	Taylor
Burr	Fuller	Laimbeer	Perkins	Ten Eyck
Chanler	Gale	Litchard	Peterson	Tompkins
Clark A L	Gallagher	Mahar	Phillips	Trainor
Collins	Glaser	Maloney	Pickett	Tremper
Costello	Graney	Marshall	Pierce	Tripp
Cottle	Green	Martin	Post	Van Rens'aer
Coughtry	Greenwood	Mason	Raplee	Vincent
Cowles	Griggs	Matteson	Redington	Vroman
Crabtree	Guider	McEwan	Reisert	Weekes
Cross	Hachemeis'r	McGuire	Russell	Weill
Cullen	Haight	McKeown	Sage	Whipple
Dale	Harburger	McLaughlin	Schmid A F	Williams
Davis	Hatch	Miles	Schmid F	Witter
DeGraw	Hays	Miller	Schultz	Wright

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1133) entitled "An act to amend and consolidate the several acts organizing and establishing a police force for the city of Schenectady, and for defining the powers and duties of the police authorities of said city and permitting an increase of six in the number of policemen, and providing for its support" (Int.

No. 938), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Harburger	Meyer G W	Sears
Addis	Davis	Hatch	Miller	Seligsberg
Adler	DeGraw	Hays	Mitchell	Shoenek
Allds	Delaney	Hill	Mohring	Simmons
Armstrong	Dillon	Hoes	Mullany	Sloan
Axtell	Donnelly	Hoffman	Murphy	Smith E LeG
Baker	Dutton	Holbert	Murray	Stedman
Boland	Egan	Hubbard	Myers J C	Stoneman
Bondy	Eldridge	Hutton	Nixon	Streifler
Brennan EC	Ellis	Johnson	Oliver	Sullivan
Brennen J F	Farrell	Kavanaugh	Palmer	Taylor
Brewster	Finn	Kelly	Paris	Ten Eyck
Brown	Fitzgerald	Kelsey	Patton	Tiffany
Burr	Fordyce	Kullman	Perkins	Tompkins
Cain	Fritz	Laimbeer	Phillips	Trainor
Chanler	Gale	Litchard	Pickett	Tripp
Clark A L	Gibney	Lowenthal	Pierce	Van Hoesen
Clark C J	Glaser	Mahar	Post	Vincent
Collins	Goodsell	Maloney	Raplee	Vroman
Costello	Graney	Marshall	Reisert	Wallace
Cottle	Greenwood	Martin	Roche	Weekes
Coughtry	Griggs	Mason	Sage	Weill
Cowles	Guider	Matteson	Sanford	Wicke
Crabtree	Hachemeis'r	McEwan	Schmid A F	Williams
Cross	Haight	McGuire	Schmid F	Wright
Cullen	Hanna	McLaughlin	Schulum	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1653) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof and supple-

mentary thereto, in relation to taxes" (Int. No. 499), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hill	Murphy	Schulum
Addis	Dale	Hoes	Murray	Seligsberg
Adler	DeGraw	Hoffman	Myers J C	Shoeneck
Allds	Dillon	Hubbard	Nixon	Simmons
Armstrong	Donnelly	Hutton	O'Connor	Sloan
Ackert	Egan	Ives	Oliver	Smith E LaG
Baker	Eldridge	Kavanaugh	Palmer	Stedman
Boland	Evarts	Kelly	Paris	Stoneman
Bondy	Finn	Kelsey	Patton	Streifler
Brennan E C	Fish	Kullman	Perkins	Sullivan
Brennen J F	Fitzgerald	Laimbeer	Peterson	Taylor
Brewster	Fordyce	Lowenthal	Phillips	Tiffany
Brown	Fritz	Mahar	Pickett	Tompkins
Burr	Fuller	Maloney	Pierce	Tremper
Cain	Gallagher	Marshall	Post	Tripp
Chanler	Gibney	Martin	Raplee	Van Rens'aer
Clark A L	Glaser	Matteson	Redington	Vincent
Clark C J	Graney	McGuire	Reisert	Wallace
Collins	Greenwood	McKeown	Roche	Weekes
Costello	Griggs	McLaughlin	Russell	Whipple
Cottle	Guider	Meyer G W	Sage	Wicke
Coughtry	Hachemeis'r	Miles	Sanford	Witter
Cowles	Hanna	Mitchell	Schmid F	Wright
Crabtree	Harburger	Mohring	Schultz	Zimmerman
Cross	Hays			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1468) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and

amend the charter of said city,' as amended by chapter 449 of the Laws of 1888" (Int. No. 1150), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Murphy	Shoeneck
Addis	Donnelly	Hill	Murray	Simmons
Adler	Egan	Hoes	Myers S C	Sinsheimer
Allds	Eldridge	Hoffman	Nixon	Sloan
Armstrong	Ellis	Holbert	O'Connor	Smith E LaG
Axtell	Evarts	Hutton	Oliver	Stedman
Baker	Farrell	Ives	Palmer	Stoneman
Boland	Finn	Johnson	Paris	Streifler
Bondy	Fish	Kelly	Patton	Sullivan
Brennen J F	Fitzgerald	Kelsey	Perkins	Taylor
Brewster	Fordyce	Laimbeer	Peterson	Ten Eyck
Burr	Fritz	Litchard	Phillips	Tiffany
Cain	Gale	Mahar	Pickett	Trainor
Clark A L	Gallagher	Maloney	Pierce	Tremper
Clark C J	Gibney	Marshall	Post	Tripp
Collins	Glaser	Martin	Rapalee	Van Hoesen
Cottle	Goodsell	Mason	Redington	Van Rens'aer
Coughtry	Green	McEwan	Reisert	Vincent
Cowles	Greenwood	McGuire	Roche	Wallace
Crabtree	Griggs	McKeown	Russell	Weekes
Cross	Guider	McLaughlin	Sanford	Whipple
Cullen	Hachemeis'r	Meyer G W	Schmid A F	Wicke
Dale	Haight	Miller	Schmid F	Williams
Davis	Hanna	Mitchell	Schultz	Wright
DeGraw	Harburger	Mohring	Schulum	Zimmerman
Delaney	Hatch	Mullany	Sears	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1661) entitled "An act to amend chapter 359 of the

Laws of 1897, entitled 'An act to incorporate the city of Rensselaer' " (Int. No. 1100), was read the second time.

On motion of Mr. Russell, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hubbard	Paris	Smith E LaG
Addis	Dillon	Hutton	Patton	Stedman
Adler	Donnelly	Ives	Perkins	Stoneman
Allds	Dutton	Johnson	Peterson	Streifler
Armstrong	Egan	Kavanaugh	Phillips	Sullivan
Axtell	Eldridge	Kullman	Pickett	Taylor
Baker	Ellis	Laimbeer	Pierce	Ten Eyck
Boland	Evarts	Litchard	Post	Trainor
Bondy	Farrell	Lowenthal	Raplee	Tremper
Brennan E C	Gallagher	Mahar	Redington	Tripp
Brennen J F	Gibney	Maloney	Reisert	Van Hoesen
Brewster	Glaser	Marshall	Roche	Van Rens'aer
Brown	Goodsell	Martin	Russell	Vincent
Burr	Graney	Mason	Sage	Vroman
Cain	Green	Matteson	Schmid A F	Wallace
Cottle	Greenwood	McEwan	Schmid F	Weekes
Coughtry	Griggs	McGuire	Schultz	Weill
Cowles	Guider	McKeown	Schulum	Whipple
Crabtree	Hachemeis'r	McLaughlin	Seligsberg	Wicke
Cross	Haight	Meyer G W	Shoeneck	Williams
Cullen	Hanna	Miles	Simmons	Witter
Dale	Harburger	O'Connor	Sinsheimer	Wright
Davis	Hatch	Oliver	Sloan	Zimmerman
DeGraw	Holbert	Palmer		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1650) entitled "An act to amend chapter 888 of the Laws of 1869 entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining farm lands, relative to assessments therefor,' as amended by section 7 of chapter 636 of the Laws of 1886" (Int. No. 665), was read the second time.

On motion of Mr. Peterson, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hubbard	Meyer G W	Seligberg
Addis	Eldridge	Hutton	Miles	Shoeneck
Adler	Ellis	Ives	Miller	Simmons
Allds	Evarts	Johnson	Mitchell	Sinsheimer
Armstrong	Farrell	Kavanaugh	Mohring	Sloan
Axtell	Finn	Kelly	Mullany	Smith E LaG
Baker	Fish	Kelsey	Murray	Ten Eyck
Boland	Fitzgerald	Kullman	Myers J C	Tiffany
Bondy	Fordyce	Laimbeer	Phillips	Tompkins
Brennan E C	Green	Litchard	Pickett	Trainor
Brennen J F	Greenwood	Lowenthal	Pierce	Tremper
Brewster	Griggs	Mahar	Post	Tripp
Brown	Guider	Maloney	Raplee	Van Hoesen
Burr	Hachemeis'r	Marshall	Redington	Van Rens'aer
Cain	Haight	Martin	Reisert	Whipple
Davis	Hanna	Mason	Roche	Wicke
DeGraw	Harburger	Matteson	Russell	Williams
Delaney	Hatch	McEwan	Sage	Witter
Dillon	Hays	McGuire	Sanford	Wright
Donnelly	Hill	McKeown	Schultz	Zimmerman
Dutton	Hoes	McLaughlin		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1649) entitled "An act conferring jurisdiction upon and authorizing the Court of Claims to hear, audit and determine the claim of Frank Fleck against the State of New York and make an award therefor" (Int. No. 887), was read the second time.

On motion of Mr. Trainor, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 99 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Ellis	Ives	O'Connor	Stedman
Addis	Evarts	Johnson	Oliver	Stoneman
Adler	Farrell	Kavanaugh	Palmer	Streifler
Allds	Finn	Kelly	Paris	Sullivan
Armstrong	Fish	Kelsey	Patton	Taylor
Axtell	Fitzgerald	Laimbeer	Raplee	Ten Eyck
Baker	Fordyce	Litchard	Redington	Tiffany
Boland	Fritz	Lowenthal	Reisert	Tripp
Bondy	Fuller	McKeown	Roche	Van Hoesen
Brennan E C	Gale	McLaughlin	Russell	Van Rens'aer
Brennen J F	Hachemeis'r	Meyer G W	Sage	Vincent
Brewster	Haight	Miles	Sanford	Vroman
Collins	Hanna	Miller	Schmid A F	Wallace
Costello	Harburger	Mitchell	Schmid F	Whipple
Cottle	Hatch	Mohring	Schultz	Wicke
Coughtry	Hays	Mullany	Schulum	Williams
Cowles	Hill	Murphy	Simmons	Witter
Dutton	Hoes	Murray	Sinsheimer	Wright
Egan	Hoffman	Myers J C	Sloan	Zimmerman
Eldridge	Holbert	Nixon	Smith E LaG	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1647) entitled "An act to amend chapter 64 of the Laws of 1891, entitled 'An act to make the office of county clerk of

the county of Madison a salaried office, and regulate the management of said office" (Int. No. 60), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Eldridge	Ives	Mullaney	Smith E LaG
Addis	Ellis	Johnson	Murphy	Stedman
Adler	Evarts	Kavanaugh	Murray	Stoneman
Allds	Farrell	Kelly	Myers J C	Streifler
Armstrong	Finn	Kelsey	Nixon	Sullivan
Axtell	Fish	Kullman	O'Connor	Taylor
Baker	Fitzgerald	Laimbeer	Oliver	Ten Eyck
Boland	Fordyce	Litchard	Palmer	Tiffany
Bondy	Fritz	Lowenthal	Paris	Tompkins
Brennan EC	Fuller	Mahar	Sanford	Trainor
Brennen J F	Gale	Maloney	Schmid A F	Tremper
Brewster	Gallagher	Marshall	Schmid F	Tripp
Brown	Griggs	Martin	Schultz	Van Hoesen
Burr	Guider	Mason	Schulum	Van Rens'aer
Cottle	Hachemeis'r	Matteson	Sears	Whipple
Coughtry	Haight	McEwan	Seligsberg	Wicke
Delaney	Hanna	McGuire	Shoenek	Williams
Dillon	Harburger	McKeown	Simmons	Witter
Donnelly	Hatch	Mitchell	Sinsheimer	Wright
Dutton	Hays	Mohring	Sloan	Zimmerman
Egan	Hutton			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1648) entitled "An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sales of land therefor in certain towns of Queens county,'

as amended by chapter 226 of the Laws of 1878" (Int. No. 1112), was read the second time.

On motion of Mr. Gale, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Ives	Nixon	Sinsheimer
Addis	Dutton	Johnson	O'Connor	Sloan
Adler	Egan	Kavanaugh	Oliver	Smith E LaG
Allds	Eldridge	Kelly	Palmer	Stedman
Armstrong	Ellis	Kelsey	Paris	Stoneman
Axtell	Evarts	Kullman	Patton	Streifler
Baker	Farrell	Laimbeer	Perkins	Sullivan
Boland	Finn	Litchard	Peterson	Trainor
Bondy	Fish	Lowenthal	Phillips	Tremper
Brennan E C	Goodsell	Matteson	Pickett	Tripp
Brennen J F	Graney	McEwan	Pierce	VanHoesen
Brewster	Green	McGuire	Post	Van Rens'ae
Brown	Greenwood	McKeown	Raplee	Vincent
Burr	Griggs	McLaughlin	Redington	Vroman
Cain	Guider	Meyer G W	Reisert	Wallace
Chanler	Hachemeis'r	Miles	Russell	Weekes
Clark A L	Haight	Miller	Sage	Weill
Cullen	Hanna	Mitchell	Schmid A F	Whipple
Dale	Harburger	Mohring	Schmid F	Wicke
Davis	Hatch	Mullany	Schulum	Williams
DeGraw	Hays	Murphy	Sears	Wright
Delaney	Hill	Murray	Seligberg	Zimmerman
Dillon	Hutton	Myers J C	Shoeneck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1654) entitled "An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, relative to

taking shad, herring and other fish in the Hudson and Delaware rivers, and other waters" (Int. No. 854), was read the second time.

On motion of Mr. Sage, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form for at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Kelly	O'Connor	Sloan
Addis	DeGraw	Kelsey	Oliver	Smith E LaG
Adler	Donnelly	Kullman	Palmer	Stedman
Allds	Dutton	Laimbeer	Paris	Stoneman
Armstrong	Egan	Litchard	Patton	Streifler
Axtell	Eldridge	Lowenthal	Perkins	Sullivan
Baker	Ellis	Mahar	Peterson	Taylor
Boland	Evarts	Maloney	Phillips	Ten Eyck
Bondy	Farrell	Marshall	Pierce	Tiffany
Brennan EC	Finn	Martin	Post	Tompkins
Brennen J F	Fish	Matteson	Raplee	Tremper
Brewster	Fitzgerald	McEwan	Redington	Tripp
Brown	Hanna	McGuire	Reisert	Van Hoesen
Burr	Harburger	McKeown	Roche	Van Rens'aer
Cain	Hatch	Meyer G W	Russell	Vincent
Clark C J	Hays	Miles	Schmid A F	Vroman
Collins	Hill	Miller	Schmid F	Wallace
Costello	Hoes	Mitchell	Schultz	Weekes
Cottle	Hoffman	Mohring	Schulum	Whipple
Coughtry	Holbert	Mullany	Sears	Wicke
Cowles	Hubbard	Murphy	Seligsberg	Williams
Crabtree	Hutton	Murray	Shoeneck	Witter
Cross	Ives	Myers J C	Simmons	Wright
Cullen	Johnson	Nixon	Sinsheimer	Zimmerman
Dale	Kavanaugh			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1738) entitled "An act to amend section 3228 of Code of Civil Procedure, relating to costs to which the plaintiff is entitled of course" (Int. No. 189), was read the second time.

On motion of Mr. Delaney, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Kavanaugh	Murphy	Simmons
Addis	Dillon	Kelly	Murray	Sinsheimer
Adler	Donnelly	Kelsey	Myers J C	Sloan
Allds	Fuller	Kullman	Nixon	Smith E LaG
Armstrong	Gale	Laimbeer	O'Connor	Sullivan
Axtell	Gallagher	Litchard	Oliver	Taylor
Baker	Green	Lowenthal	Palmer	Ten Eyck
Boland	Greenwood	Mahar	Patton	Tiffany
Bondy	Griggs	Maloney	Perkins	Tompkins
Brennan E C	Guider	Marshall	Peterson	Trainor
Burr	Hachemeis'r	Martin	Phillips	Tremper
Cain	Haight	Mason	Pickett	Tripp
Chanler	Hanna	Matteson	Pierce	Van Hoesen
Clark A L	Harburger	McEwan	Post	Van Rens'aer
Clark C J	Hatch	McGuire	Raplee	Vincent
Collins	Hays	McKeown	Redington	Vroman
Costello	Hill	McLaughlin	Schmid A F	Wallace
Cottle	Hoes	Meyer G W	Schmid F	Wicke
Cross	Hoffman	Miles	Schultz	Williams
Cullen	Holbert	Miller	Schulum	Witter
Dale	Hubbard	Mitchell	Sears	Wright
Davis	Ives	Mohring	Seligsberg	Zimmerman
DeGraw	Johnson	Mullany	Shoeneck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 156, Assembly reprint No. 1719) entitled "An act to amend the Game Law" (Rec. No. 128), was read the second time.

On motion of Mr. Miles, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Kavanaugh	Patton	Smith E LaG
Addis	DeGraw	Kelly	Perkins	Stoneman
Adler	Delaney	Kelsey	Peterson	Streifler
Allds	Dillon	Kullman	Phillips	Sullivan
Armstrong	Donnelly	Laimbeer	Pickett	Taylor
Axtell	Dutton	Litchard	Pierce	Ten Eyck
Baker	Egan	Lowenthal	Post	Tiffany
Boland	Eldridge	McLaughlin	Raplee	Tompkins
Bondy	Gale	Meyer G W	Redington	Trainor
Brennan E C	Gallagher	Miles	Reisert	Tremper
Brennen J F	Glaser	Miller	Roche	Tripp
Brewster	Goodsell	Mitchell	Sanford	Van Hoesen
Brown	Graney	Mohring	Schmid A F	Van Rens'aer
Burr	Green	Mullany	Schmid F	Vincent
Cain	Greenwood	Murphy	Schultz	Vroman
Chanler	Griggs	Murray	Schulum	Wallace
Clark A L	Guider	Myers J C	Sears	Weekes
Clark C J	Hachemeis'r	Nixon	Seligsberg	Weill
Collins	Haight	O'Connor	Shoeneck	Whipple
Cross	Hanna	Oliver	Simmons	Wicke
Cullen	Harburger	Palmer	Sinsheimer	Williams
Dale	Hatch	Paris	Sloan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate bill (No. 563, Assembly reprint No. 1721) entitled "An act to make the office of coroner within the county of Ulster a salaried office, and to regulate the management of said office" (Rec. No. 178), was read the second time.

On motion of Mr. C. Davis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Armstrong	DeGraw	Hayes	Mullany	Sears
Axtell	Delaney	Hill	Murphy	Shoeneck
Baker	Dillon	Johnson	Murray	Simmons
Boland	Donnelly	Kavanaugh	Myers J C	Sinsheimer
Bondy	Dutton	Kelly	Nixon	Sloan
Brennan E C	Fitzgerald	Kelsey	O'Connor	Smith E LaG
Brennen J F	Fordyce	Kullman	Oliver	Streidler
Brewster	Fritz	Laimbeer	Palmer	Sullivan
Brown	Fuller	Litchard	Paris	Taylor
Burr	Gale	Lowenthal	Patton	Ten Eyck
Cain	Gallagher	Mahar	Phillips	Tiffany
Chanler	Gibney	Maloney	Pickett	Tompkins
Clark A L	Glaser	Marshall	Pierce	Trainor
Clark C J	Goodsell	Martin	Post	Tremper
Collins	Graney	Mason	Raplee	Tripp
Costello	Green	Matteson	Redington	Vincent
Cottle	Greenwood	McEwan	Reisert	Vroman
Coughtry	Griggs	McKeown	Roche	Wallace
Cowles	Guider	McLaughlin	Sanford	Weekes
Crabtree	Hachemeis'r	Meyer G W	Schmid A F	Whipple
Cross	Haight	Miles	Schmid F	Wicke
Cullen	Hanna	Miller	Schultz	Wright
Dale	Harburger	Mitchell	Schulum	Zimmerman
Davis	Hatch	Mohring		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Palmer in the chair.

The Senate bill (No. 675, Assembly reprint No. 1720) entitled "An act to amend the Code of Criminal Procedure, relative to proceedings respecting the support of poor persons." (Rec. No. 182.)

On motion of Mr. Miles, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hill	Mohring	Shoeneck
Addis	Eldridge	Hoes	Murphy	Simmons
Adler	Ellis	Hoffman	Murray	Sinsheimer
Allds	Evarts	Hubbard	Myers J C	Smith E LaG
Axtell	Finn	Ives	Nixon	Stedman
Bondy	Fish	Johnson	Oliver	Stoneman
Brennan E C	Fordyce	Kavanaugh	Paris	Streifler
Brown	Fritz	Kelsey	Patton	Sullivan
Cain	Fuller	Kullman	Perkins	Tiffany
Clark A L	Gale	Litchard	Phillips	Tompkins
Clark C J	Gallagher	Mahar	Pierce	Trainor
Collins	Glaser	Maloney	Raplee	Tripp
Cottle	Goodsell	Marshall	Redington	Van Hoesen
Cowles	Green	Mason	Reisert	Vincent
Crabtree	Greenwood	Matteson	Roche	Vroman
Cullen	Griggs	McGuire	Sage	Wallace
Dale	Guider	McKeown	Sanford	Weekes
DeGraw	Hachemeis'r	McLaughlin	Schmid F	Whipple
Dillon	Hanna	Miles	Schultz	Wicke
Donnelly	Harburger	Miller	Schulum	Williams
Dutton	Hatch	Mitchell	Seligsberg	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The Senate bill (No. 443, Assembly reprint No. 1748) entitled "An act to amend chapter 682 of the Laws of 1897, entitled 'An act for licensing and regulating bonds of auctioneers in cities of one million and over'" (Rec. No. 119), was read the second time.

On motion of Mr. Cantor, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 101 }
} NOES 1 }

Those who voted in the affirmative, were

Ackert	Ellis	Hutton	Nixon	Smith E LaG
Addis	Evarts	Johnson	Oliver	Stedman
Allds	Finn	Kavanaugh	Palmer	Stoneman
Axtell	Fitzgerald	Kelsey	Paris	Streifler
Baker	Fordyce	Kullman	Perkins	Taylor
Bondy	Fritz	Laimbeer	Peterson	Ten Eyck
Brennen J F	Gale	Mahar	Pickett	Tiffany
Brown	Gibney	Maloney	Raplee	Tompkins
Cain	Goodsell	Marshall	Redington	Trainor
Clark A L	Graney	Mason	Roche	Tripp
Clark C J	Green	McEwan	Russell	Van Hoesen
Costello	Griggs	McGuire	Sage	Vincent
Cottle	Guider	McKeown	Schmid A F	Vroman
Cowles	Haight	Meyer G W	Schmid F	Wallace
Cross	Hanna	Miles	Sears	Weekes
Dale	Hatch	Miller	Seligsberg	Whipple
Davis	Hill	Mohring	Shoeneck	Wicke
Delaney	Hoes	Mullany	Shultz	Williams
Donnelly	Hoffman	Murphy	Simmons	Witter
Dutton	Hubbard	Murray	Sinsheimer	Wright
Eldridge				

In the negative,

Sullivan

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1722) entitled "An act to provide for the construction of a swing bridge over the Champlain canal, near Burton's saw mills, in the town of Waterford, and making an appropriation therefor" (Int. No. 935), was read the second time.

On motion of Mr. Kavanaugh, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hill	Murray	Simmons
Addis	Eldridge	Hoes	Nixon	Sinsheimer
Allds	Ellis	Holbert	O'Connor	Smith E La G
Armstrong	Evarts	Hubbard	Oliver	Stedman
Baker	Farrell	Ives	Paris	Stoneman
Bondy	Finn	Kavanaugh	Patton	Sullivan
Brennen J F	Fitzgerald	Kelly	Perkins	Taylor
Brewster	Fordyce	Kullman	Phillips	Tiffany
Brown	Fritz	Laimbeer	Pickett	Tompkins
Cain	Gale	Litchard	Pierce	Trainor
Clark C J	Gallagher	Mahar	Post	Tremper
Collins	Gibney	Maloney	Raplee	Van Hoesen
Cottle	Goodsell	Martin	Redington	Van Rens'aer
Cowles	Graney	Matteson	Roche	Vroman
Crabtree	Green	McGuire	Russell	Wallace
Cross	Griggs	McLaughlin	Sage	Weekes
Cullen	Hachemeis'r	Meyer G W	Schmid AF	Whipple
Dale	Haight	Miller	Schultz	Wicke
DeGraw	Hanna	Mitchell	Schulum	Williams
Delaney	Hatch	Mullany	Seligsberg	Wright
Donnelly	Hays	Murphy	Shoeneck	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1723) entitled "An act to provide for repairing the draw bridge over the Minisceongo creek in the county of Rockland, and making an appropriation therefor" (Int. No. 600), was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Eldridge	Hoes	Murray	Stoneman
Addis	Ellis	Hoffman	Nixon	Streifler
Adler	Evarts	Holbert	Oliver	Sullivan
Armstrong	Farrell	Hubbard	Palmer	Taylor
Axtell	Fish	Ives	Patton	Tiffany
Boland	Fitzgerald	Kavanaugh	Peterson	Tompkins
Bondy	Fordyce	Kelly	Pickett	Trainor
Brennen J F	Fuller	Kullman	Post	Tremper
Brown	Gale	Litchard	Raplee	Tripp
Cain	Gallagher	Mahar	Reisert	Van Hoesen
Clark A L	Gibney	Maloney	Roche	Van Rens'aer
Collins	Goodsell	Martin	Sage	Vroman
Cottle	Graney	Mason	Schmid A F	Wallace
Cowles	Greenwood	McEwan	Schulum	Weekes
Crabtree	Griggs	McGuire	Sears	Weill
Cross	Hach'm'ister	McLaughlin	Shoeneck	Whipple
Dale	Haight	Miles	Simmons	Wicke
DeGraw	Hanna	Miller	Sloan	Williams
Dillon	Harburger	Mohring	Smith E La G	Witter
Donnelly	Hatch	Mullany	Stedman	Zimmerman
Dutton	Hays			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1725) entitled "An act providing for the construction of a lift or hoist bridge over the Erie canal, on Washington street, in the city of Utica, and making an appropriation therefor, and authorizing the city of Utica to raise money for the construction thereof" (Int. No. 639), was read the second time.

On motion of Mr. Williams, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hatch	Mullany	Simmons
Addis	Dillon	Hill	Murphy	Sinsheimer
Allds	Dutton	Hoes	Myers J C	Smith E LaG
Armstrong	Egan	Hoffman	Nixon	Stedman
Baker	Eldridge	Hubbard	O'Connor	Stoneman
Brennan E C	Evarts	Hutton	Oliver	Sullivan
Brennen J F	Farrell	Johnson	Paris	Taylor
Brewster	Finn	Kavanaugh	Patton	Ten Eyck
Brown	Fish	Kelsey	Peterson	Tompkins
Burr	Fordyce	Laimbeer	Phillips	Trainor
Cain	Fuller	Litchard	Pierce	Tripp
Chanler	Gale	Lowenthal	Post	Van Hoesen
Clark A L	Gallagher	Mahar	Raplee	Van Rensae'r
Clark C J	Glaser	Maloney	Reisert	Vincent
Collins	Goodsell	Marshall	Roche	Wallace
Costello	Green	Mason	Russell	Weekes
Cottle	Greenwood	McEwan	Sanford	Weill
Coughtry	Griggs	McGuire	Schmid A F	Whipple
Cowles	Guider	McLaughlin	Schultz	Wicke
Cross	Hachemeis'r	Miles	Schulum	Williams
Cullen	Hanna	Miller	Sears	Witter
Dale	Harburger	Mohring	Shoeneck	Wright
DeGraw				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1724) entitled "An act authorizing the removal and construction of a wroughtiron bridge over the Erie canal, or Tonawanda creek, known as the 'New Home Bridge,' between Pendleton and Pickard's bridge, in the counties of Erie and Niagara, with abutments and approaches thereto, and making an appropriation therefor" (Int. No. 93), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hoffman	Mullany	Sinsheimer
Addis	Eldridge	Holbert	Murphy	Sloan
Adler	Evarts	Hubbard	Myers J C	Smith E La G
Armstrong	Farrell	Ives	Nixon	Stoneman
Axtell	Finn	Johnson	O'Connor	Sullivan
Baker	Fish	Kavanaugh	Palmer	Taylor
Bondy	Fordyce	Kelly	Patton	Tiffany
Brennan E C	Fritz	Kelsey	Peterson	Tompkins
Brewster	Fuller	Kullman	Pickett	Tripp
Brown	Gale	Laimbeer	Post	Van Hoesen
Cain	Gallagher	Lowenthal	Redington	Van Rens'aer
Chanler	Glaser	Mahar	Reisert	Vincent
Clark C J	Goodsell	Maloney	Roche	Vroman
Costello	Green	Marshall	Russell	Wallace
Cottle	Greenwood	Mason	Sage	Weill
Cowles	Guider	McEwan	Sanford	Whipple
Crabtree	Hachemeis'r	McGuire	Schmid F	Wicke
Cullen	Haight	McKeown	Schulum	Williams
Davis	Harburger	Meyer G W	Sears	Witter
DeGraw	Hatch	Miles	Shoeneck	Wright
Dillon	Hays	Mitchell	Simmons	Zimmerman
Donnelly	Hill			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1726) entitled "An act making an appropriation for Thomas Asylum for Orphan and Destitute Indian Children" (Int. No. 615), was read the second time.

On motion of Mr. Baker, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mitchell	Shoeneck
Addis	Dillon	Hatch	Mohring	Simmons
Adler	Donnelly	Hays	Murphy	Sloan
Armstrong	Egan	Hoes	Murray	Smith ELaG
Axtell	Eldridge	Holbert	Nixon	Stoneman
Boland	Evarts	Hubbard	O'Connor	Streifler
Bondy	Farrell	Hutton	Palmer	Taylor
Brennen J F	Finn	Johnson	Paris	Ten Eyck
Brewster	Fish	Kavanaugh	Perkins	Tompkins
Brown	Fordyce	Kelsey	Peterson	Tremper
Cain	Fritz	Kullman	Pickett	Van Hoesen
Clark A L	Fuller	Laimbeer	Post	Vincent
Clark C J	Gallagher	Mahar	Redington	Vroman
Costello	Gibney	Marshall	Reisert	Wallace
Cottle	Goodsell	Martin	Russell	Weekes
Cowles	Graney	Matteson	Sanford	Weill
Crabtree	Greenwood	McGuire	Schmid F	Wicke
Cross	Griggs	McKeown	Schultz	Witter
Dale	Hachemeis'r	Meyer G W	Schulum	Wright
DeGraw	Haight	Miles	Sears	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1727) entitled "An act authorizing the construction

of a stone arch culvert over the State ditch at Delaware street in the village of Tonawanda, Erie county, New York, and making an appropriation therefor" (Int. No. 237), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Farrell	Holbert	Murray	Sinsheimer
Addis	Fish	Hubbard	Myers J C	Smith E LaG
Adler	Fordyce	Ives	Nixon	Stedman
Armstrong	Fuller	Johnson	Oliver	Stoneman
Bondy	Gale	Kelly	Palmer	Sullivan
Brennen J F	Gallagher	Kelsey	Patton	TenEcyk
Brewster	Gibney	Kullman	Perkins	Tiffany
Burr	Glaser	Litchard	Phillips	Trainor
Chanler	Goodsell	Lowenthal	Pierce	Tremper
Clark A L	Graney	Mahar	Post	Van Hoesen
Collins	Green	Maloney	Redington	Van Rens'laer
Cottle	Greenwood	Mitchell	Reisert	Vroman
Cowles	Guider	Mason	Russell	Wallace
Crabtree	Hachemeis'r	McEwan	Sanford	Weekes
Cullen	Haight	McKeown	Schmid A F	Whipple
Davis	Hanna	McLaughlin	Schultz	Wicke
DeGraw	Harburger	Miles	Schulum	Williams
Donnelly	Hays	Mitchell	Sears	Wright
Egan	Hill	Mullany	Seligsberg	Zimmerman
Ellis	Hoes			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1739) entitled "An act making an appropriation for the payment of services and expenses of 'The Volunteer Life Saving Corps of the State of New York (inland waters)'" (Int. No. 287), was read the second time.

On motion of Mr. Wallace, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Ives	Murphy	Sinsheimer
Addis	Egan	Johnson	Myers J C	Sloan
Adler	Ellis	Kavanaugh	O'Connor	Smith E LaG
Allds	Farrell	Kelly	Oliver	Stoneman
Axtell	Finn	Kelsey	Paris	Streifler
Baker	Fitzgerald	Kullman	Perkins	Sullivan
Bondy	Fordyce	Laimbeer	Peterson	Ten Eyck
Brennan E C	Fuller	Litchard	Pickett	Tiffany
Brennen J F	Gallagher	Mahar	Pierce	Trainor
Brewster	Gibney	Maloney	Raplee	Tremper
Burr	Goodsell	Martin	Redington	VanHoesen
Clark A L	Graney	Mason	Reisert	Van Rens'aer
Collins	Greenwood	Matteson	Russell	Vroman
Cottle	Griggs	McGuire	Sage	Weekes
Coughtry	Hachemeis'r	McKeown	Sanford	Weill
Crabtree	Hanna	Meyer G W	Schmid F	Williams
Cross	Hatch	Miles	Schultz	Wicke
Dale	Hays	Miller	Schulum	Wright
Davis	Hoes	Mitchell	Seligberg	Witter
Delaney	Holbert	Mullany	Shoeneck	Zimmerman
Dillon	Hubbard			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 289, Assembly reprint No. 1729) entitled "An act making an appropriation to build a bridge over the Erie canal at Erie street, in the city of Buffalo" (Rec. No. 203), was read the second time.

On motion, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hill	Mohring	Sears
Addis	Donnelly	Hoes	Murphy	Shoeneck
Adler	Dutton	Holbert	Myers J C	Sinsheimer
Allds	Eldridge	Hubbard	Nixon	Sloan
Axtell	Ellis	Ives	O'Connor	Stoneman
Boland	Farrell	Johnson	Oliver	Sullivan
Bondy	Finn	Kelly	Paris	Taylor
Brennen J F	Fish	Kelsey	Patton	Tiffany
Brewster	Eldridge	Laimbeer	Peterson	Trainor
Brown	Fritz	Litchard	Phillips	Tripp
Cain	Fuller	Mahar	Pierce	Van Hoesen
Chanler	Gale	Maloney	Post	Vincent
Clark C J	Gallagher	Martin	Raplee	Wallace
Collins	Goodsell	Mason	Reisert	Weekes
Costello	Green	McEwan	Roche	Whipple
Coughtry	Greenwood	McGuire	Sage	Wicke
Crabtree	Guider	McLaughlin	Schmid A F	Williams
Cross	Haight	Meyer G W	Schmid F	Witter
Dale	Harburger	Miller	Schultz	Wright
Davis	Hatch	Mitchell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No: 1717) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry E. Tremain and Mason W. Tyler, composing the co partnership of Tremain and Tyler, against the State for damages alleged to have been sustained by them, and to render judgment therefor" (Int. No. 907), was read the second time.

On motion of Mr. Bondy, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hoes	Mohring	Simmons
Addis	Donnelly	Holbert	Mullany	Sloan
Adler	Egan	Hubbard	Murray	Smith E LaG
Armstrong	Ellis	Ives	Nixon	Stoneman
Baker	Farrell	Kavanaugh	Oliver	Sullivan
Boland	Finn	Kelly	Palmer	Ten Eyck
Brennan EC	Fitzgerald	Kelsey	Patton	Tiffany
Brennen J F	Fordyce	Laimbeer	Perkins	Trainor
Brown	Fuller	Lowenthal	Phillips	Tripp
Burr	Gallagher	Mahar	Pierce	Van Rens'aer
Cain	Gibney	Maloney	Raplee	Vroman
Clark A L	Goodsell	Martin	Redington	Wallace
Collins	Graney	Mason	Roche	Weill
Cottle	Green	McEwan	Sage	Wicke
Coughtry	Guider	McKeown	Sanford	Williams
Crabtree	Hachemeis'r	McLaughlin	Schmid F	Witter
Cullen	Hanna	Miller	Sears	Wright
Dale	Hatch	Mitchell	Shoeneck	Zimmerman
DeGraw	Hays			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 158, Assembly reprint No. 1736) entitled "An act to amend the Fisheries, Game and Forest Law, relating to taking of sturgeon with set lines in part of the waters of the Thousand Islands" (Rec. No. 89), was read the second time.

On motion, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Harburger	Mohring	Schultz
Allds	Donnelly	Hatch	Mullany	Schulum
Allds	Dutton	Hill	Murray	Shoeneck
Armstrong	Eldridge	Hoffman	Myers J C	Simmons
Axtell	Ellis	Hubbard	Nixon	Sinsheimer
Baker	Evarts	Hutton	O'Connor	Smith E LaG
Bondy	Farrell	Johnson	Palmer	Stedman
Brennan E C	Fish	Kavanaugh	Paris	Stoneman
Brennen J F	Fitzgerald	Kelly	Perkins	Sullivan
Brown	Fordyce	Kullman	Peterson	Ten Eyck
Burr	Fritz	Litchard	Phillips	Tompkins
Chanler	Fuller	Lowenthal	Pickett	Tremper
Clark A L	Gallagher	Mahar	Pierce	Van Hoesen
Clark C J	Gibney	Marshall	Post	Van Rens'aer
Cottle	Glaser	Mason	Raplee	Vroman
Coughtry	Goodsell	Matteson	Redington	Wallace
Cowles	Green	McEwan	Reisert	Weekes
Cross	Greenwood	McKeown	Roche	Whipple
Cullen	Griggs	McLaughlin	Sage	Wicke
Davis	Hachemeis'r	Miles	Schmid A F	Witter
DeGraw	Haight	Miller	Schmid F	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1733) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of Alma Farm Company, Limited, against the State of New York" (Int. No. 583), was read the second time.

On motion of Mr. Palmer, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three lative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hays	Myers J C	Sloan
Addis	Dutton	Hoes	Nixon	Stedman
Allds	Eldridge	Holbert	O'Connor	Stoneman
Armstrong	Ellis	Hutton	Palmer	Streifler
Baker	Evarts	Ives	Patton	Taylor
Bondy	Finn	Kavanaugh	Perkins	Tiffany
Brennen J F	Fish	Kelly	Phillips	Tompkins
Brewster	Fitzgerald	Kullman	Pickett	Trainor
Brown	Fordyce	Litchard	Post	Tremper
Cain	Fritz	Lowenthal	Raplee	Tripp
Clark A L	Fuller	Mahar	Redington	Van Rens'aer
Clark C J	Gallagher	Maloney	Reisert	Vincent
Costello	Gibney	Marshall	Russell	Wallace
Coughtry	Glaser	Mason	Sanford	Weekes
Cowles	Goodsell	McEwan	Schmid A F	Weill
Cross	Green	McGuire	Schultz	Whipple
Cullen	Griggs	McLaughlin	Schulum	Wicke
Dale	Guider	Miles	Sears	Witter
DeGraw	Haight	Miller	Seligsberg	Wright
Delaney	Hanna	Mullany	Sinsheimer	Zimmerman
Dillon	Hatch	Murphy		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1734) entitled "An act to provide for a hearing of the claims of J. W. Van Slyke and others for work done and services performed for the State under the provisions of chapter 577 of the Laws of 1864" (Int. No. 1173), was read the second time.

On motion of Mr. C. J. Clark, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ **AYES** 103 }
 { **NOES** 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hoes	Mullany	Sinsheimer
Addis	Donnelly	Hoffman	Murray	Smith E LaG
Adler	Egan	Hubbard	Myers J C	Stedman
Armstrong	Eldridge	Hutton	O'Connor	Streifler
Baker	Ellis	Johnson	Oliver	Taylor
Boland	Farrell	Kelly	Paris	Ten Eyck
Brennan EC	Fish	Kelsey	Perkins	Tompkins
Brennen J F	Fitzgerald	Laimbeer	Peterson	Tremper
Brown	Fritz	Litchard	Pickett	Van Hoesen
Burr	Fuller	Lowenthal	Pierce	Vincent
Cain	Gallagher	Mahar	Raplee	Vroman
Clark A L	Gibney	Maloney	Redington	Wallace
Collins	Glaser	Martin	Roche	Weekes
Costello	Graney	Mason	Sage	Weill
Coughtry	Green	McEwan	Sanford	Whipple
Cowles	Griggs	McGuire	Schmid F	Wicke
Cross	Guider	McKeown	Schultz	Williams
Cullen	Haight	Meyer G W	Schulum	Witter
Dale	Hanna	Miles	Seligsberg	Wright
DeGraw	Hatch	Miller	Shoeneck	Zimmerman
Delaney	Hays	Mohring		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1732) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of James Grant against the State, and to make an award therefor" (Int. No. 860), was read the second time.

On motion of Mr. Armstrong, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Harburger	McGuire	Schmid A F
Addis	Egan	Hatch	McLaughlin	Schultz
Adler	Eldridge	Hill	Meyer G W	Schulum
Allds	Ellis	Hoes	Miller	Seligsberg
Axtell	Evarts	Hoffman	Mohring	Sinsheimer
Boland	Farrell	Holbert	Murphy	Smith E LaG
Bondy	Finn	Hubbard	Myers J C	Stedman
Brennen J F	Fitzgerald	Hutton	O'Connor	Streifler
Brewster	Fordyce	Johnson	Oliver	Sullivan
Brown	Fritz	Kavanaugh	Palmer	Ten Eyck
Cain	Gale	Kelly	Patton	Tompkins
Clark A L	Gallagher	Kelsey	Perkins	Tremper
Clark C J	Gibney	Laimbeer	Peterson	VanHoesen
Costello	Goodsell	Litchard	Pickett	Vincent
Coughtry	Graney	Lowenthal	Pierce	Vroman
Cowles	Green	Mahar	Raplee	Wallace
Cross	Greenwood	Maloney	Redington	Weill
Dale	Griggs	Martin	Roche	Whipple
Davis	Hachemeister	Mason	Russell	Williams
Delaney	Haight	Matteson	Sage	Witter
Donnelly	Hanna			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1756) entitled "An act to amend chapter 84 of the Laws of 1886, entitled 'An act to incorporate the city of Jamestown,' as amended by chapter 134 of the Laws of 1890 and further amended by chapter 981 of the Laws of 1896, in relation to the acquisition of property for water purposes" (Int. No. 325), was read the second time.

On motion of Mr. Peterson, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hanna	Miller	Shoeneck
Addis	DeGraw	Hatch	Mitchell	Simmons
Adler	Delaney	Hays	Mullany	Sinsheimer
Allds	Donnelly	Hoes	Murray	Smith E La G
Armstrong	Egan	Hoffman	Nixon	Stedman
Axtell	Eldridge	Hubbard	O'Connor	Streidler
Baker	Ellis	Hutton	Palmer	Taylor
Bondy	Farrell	Johnson	Patton	Tiffany
Brennen J F	Finn	Kelly	Perkins	Trainor
Brewster	Fish	Kullman	Phillips	Tripp
Burr	Fitzgerald	Laimbeer	Pierce	Van Rens'aer
Cain	Fritz	Lowenthal	Raplee	Vroman
Clark A L	Fuller	Mahar	Redington	Weekes
Clark C J	Gallagher	Maloney	Roche	Whipple
Collins	Glaser	Martin	Sage	Wicke
Costello	Graney	Matteson	Sanford	Witter
Coughtry	Greenwood	McGuire	Schmid F	Wright
Cowles	Guider	Meyer G W	Sears	Zimmerman
Cross	Hachemeister			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1757) entitled "An act to set off and annex a part of the town of New Hartford to the city of Utica" (Int. No. 115), was read the second time.

On motion of Mr. Williams, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
{	NOES	1	}

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mullany	Schulum
Addis	Donnelly	Hays	Murphy	Seligsberg
Allds	Egan	Hoes	Murray	Simmons
Armstrong	Eldridge	Holbert	Myers J C	Sloan
Baker	Evarts	Hutton	O'Connor	Stedman
Boland	Farrell	Ives	Palmer	Stoneman
Brennan E C	Fish	Kavanaugh	Paris	Sullivan
Brewster	Fordyce	Kelsey	Perkins	Ten Eyck
Brown	Fritz	Laimbeer	Phillips	Tompkins
Cain	Fuller	Litchard	Pickett	Tremper
Chanler	Gallagher	Mahar	Post	Van Hoesen
Clark C J	Gibney	Maloney	Raplee	Vincent
Collins	Goodsell	Mason	Reddington	Wallace
Cottle	Graney	Matteson	Reisert	Weill
Coughtry	Green	McGuire	Russell	Whipple
Crabtree	Griggs	McLaughlin	Sage	Williams
Cross	Guider	Meyer G W	Schmid A F	Wright
Dale	Hachemeis'r	Miller	Schmid F	Zimmerman
DeGraw	Hanna	Mitchell	Schultz	

In the negative,
Martin

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1753) entitled "An act to provide for the audit and payment of certain claims for labor upon highways in the town of East Chester, New York" (Int. No. 1117), was read the second time.

On motion of Mr. Sanford, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Ellis	Hoes	Myers J C	Smith E LaG
Addis	Evarts	Holbert	Oliver	Stedman
Adler	Farrell	Hutton	Palmer	Stoneman
Armstrong	Finn	Ives	Patton	Sullivan
Baker	Fish	Kavanaugh	Perkins	Ten Eyck
Bondy	Fordyce	Kelly	Phillips	Tiffany
Brennen J F	Fritz	Kullman	Pickett	Trainor
Brown	Fuller	Litchard	Post	Tremper
Cain	Gale	Mahar	Raplee	Tripp
Clark A L	Gallagher	Marshall	Reisert	Van Rens'aer
Collins	Gibney	Martin	Roche	Vincent
Costello	Goodsell	Matteson	Sage	Vroman
Coughtry	Green	McGuire	Schmid A F	Weekes
Crabtree	Griggs	McLaughlin	Schmid F	Weill
Cullen	Guider	Meyer G W	Schultz	Whipple
Dale	Haight	Miller	Sears	Williams
DeGraw	Hanna	Mohring	Seligsberg	Witter
Dillon	Hatch	Mullany	Simmons	Wright
Dutton	Hays	Murray	Sloan	Zimmerman
Egan				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1752) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John Moore against the State, for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1106), was read the second time.

On motion of Mr. Bondy, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hill	Murray	Stedman
Addis	Dutton	Hoffman	Myers J C	Streifler
Adler	Egan	Holbert	O'Connor	Taylor
Armstrong	Ellis	Hutton	Palmer	Tiffany
Axtell	Evarts	Ives	Patton	Tompkins
Boland	Finn	Kavanaugh	Peterson	Tremper
Brennen J F	Fitzgerald	Kelly	Pickett	Van Hoesen
Brewster	Fordyce	Kullman	Post	Van Rens'aer
Brown	Fritz	Litchard	Redington	Vincent
Cain	Fuller	Mahar	Russell	Vroman
Chanler	Gale	Maloney	Sage	Wallace
Clark C J	Gibney	Martin	Sanford	Weekes
Collins	Glaser	Matteson	Schmid F	Weill
Cottle	Graney	McEwan	Schultz	Whipple
Cowles	Green	McKeown	Schulum	Wicke
Crabtree	Griggs	McLaughlin	Sears	Williams
Cullen	Guider	Meyer G W	Shoeneck	Witter
Dale	Hachemeis'r	Miller	Simmons	Wright
DeGraw	Hanna	Mohring	Sinsheimer	Zimmerman
Delaney	Hatch	Murphy	Smith E LaG	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1760) entitled "An act fixing the term of office of the coroner of Erie county elected at the annual election held in the year 1896, and providing for the election of his successor" (Int. No. 859), having been announced for a second reading,

On motion of Mr. Patton, said bill was laid aside, and stricken from the calendar.

The bill (No. 1645) entitled "An act directing the Adjutant-General to deliver two battle flags of the Ninety-seventh Regiment of New York State Volunteers to the trustees or managers of the Munson Williams Memorial Hall of Utica" (Int. No. 1248), having been announced for a second reading,

On motion of Mr. Williams, said bill was laid aside, and stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 1624) entitled "An act to amend an act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof." (Int. No. 1261.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hays	Meyer G W	Schmid F
Addis	Dutton	Hill	Miller	Schultz
Adler	Eldridge	Hoffman	Mitchell	Schulum
Allds	Ellis	Holbert	Mohring	Seligsberg
Axtell	Evarts	Hubbard	Mullany	Simmons
Baker	Finn	Hutton	Murphy	Sinsheimer
Boland	Fish	Ives	Murray	Smith E LaG
Bondy	Fordyce	Johnson	Myers J C	Stedman
Brennan E C	Fritz	Kavanaugh	Nixon	Stoneman
Brennen J F	Fuller	Kelly	Oliver	Streifler
Brewster	Gallagher	Kelsey	Palmer	Sullivan
Brown	Gibney	Kullman	Patton	Ten Eyck
Burr	Glaser	Laimbeer	Perkins	Tiffany
Chanler	Graney	Litchard	Phillips	Trainor
Clark A L	Green	Mahar	Pickett	Tripp
Collins	Greenwood	Maloney	Pierce	VanHoesen
Cottle	Griggs	Marshall	Post	Vincent
Cowles	Guider	Martin	Raplee	Vroman
Crabtree	Hachemeis'r	Mason	Redington	Weekes
Cullen	Haight	Matteson	Roche	Whipple
Dale	Hanna	McGuire	Russell	Wicke
DeGraw	Harburger	McKeown	Sage	Witter
Dillon	Hatch	McLaughlin	Sanford	Wright

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 936) entitled "An act relative to the bridge over the East river

authorized to be constructed by chapter 789 of the Laws of 1895." (Rec. No. 288.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hanna	Miles	Sears
Addis	Donnelly	Harburger	Mitchell	Seligsberg
Adler	Dutton	Hatch	Mohring	Simmons
Allds	Egan	Hays	Murphy	Sinsheimer
Armstrong	Eldridge	Hoes	Murray	Smith E LaG
Axtell	Ellis	Hoffman	Nixon	Stedman
Boland	Evarts	Hubbard	O'Connor	Stoneman
Bondy	Farrell	Hutton	Palmer	Streifler
Brennan E C	Finn	Ives	Paris	Taylor
Brewster	Fish	Kavanaugh	Patton	Ten Eyck
Brown	Fitzgerald	Kelly	Peterson	Tiffany
Cain	Fordyce	Kelsey	Phillips	Trainor
Chanler	Fritz	Lainbeer	Pickett	Tremper
Clark C J	Fuller	Litchard	Pierce	Van Hoesen
Costello	Gale	Lowenthal	Raplee	Van Rens'aer
Cottle	Gibney	Mahar	Redington	Vincent
Coughtry	Glaser	Maloney	Reisert	Vroman
Cowles	Goodsell	Marshall	Russell	Weekes
Crabtree	Graney	Martin	Sage	Weill
Cross	Green	Matteson	Schmid A F	Wicke
Cullen	Greenwood	McEwan	Schmid F	Williams
Davis	Griggs	McKeown	Schultz	Witter
DeGraw	Guider	McLaughlin	Schulum	Zimmerman
Delaney	Hachemeis'r	Meyer G W		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1187) entitled "An act to amend the Tax Law, relating to payment of State tax." (Int. No. 983.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	Mullany	Sears
Addis	Delaney	Hatch	Murphy	Seligsberg
Adler	Dillon	Hays	Murray	Simmons
Allds	Dutton	Hill	Myers J C	Sinsheimer
Armstrong	Egan	Hoffman	Nixon	Smith E LaG
Axtell	Eldridge	Hubbard	O'Connor	Stedman
Baker	Ellis	Hutton	Oliver	Stoneman
Boland	Evarts	Johnson	Palmer	Streifler
Bondy	Farrell	Kelly	Paris	Taylor
Brennen J F	Finn	Kelsey	Patton	Ten Eyck
Brewster	Fish	Kullman	Peterson	Tiffany
Brown	Fitzgerald	Litchard	Phillips	Trainor
Cain	Fordyce	Lowenthal	Pickett	Tremper
Chanler	Fritz	Mahar	Pierce	Tripp
Clark A L	Fuller	Maloney	Post	Van Rens'laer
Collins	Gale	Marshall	Raplee	Vincent
Costello	Gibney	Mason	Redington	Vroman
Cottle	Glaser	Matteson	Reisert	Weekes
Coughtry	Graney	McEwan	Roche	Weill
Cowles	Green	McKeown	Sage	Whipple
Crabtree	Griggs	McLaughlin	Sanford	Williams
Cross	Guider	Meyer G W	Schmid A F	Witter
Dale	Hachemeis'r	Miles	Schmid F	Wright
Davis	Hanna	Mohring	Schulum	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1749) entitled "An act to amend chapter 58 of the Laws of 1890, entitled 'An act to incorporate the city of Corning,' and the acts amendatory thereof and supplemental thereto." (Int. No. 448.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mitchell	Shoeneck
Addis	Dillon	Hays	Mohring	Simmons
Adler	Donnelly	Hill	Murphy	Sinsheimer
Allds	Egan	Hoffman	Murray	Sloan
Armstrong	Eldridge	Hubbard	Myers J C	Smith E La G
Axtell	Ellis	Hutton	Nixon	Stedman
Baker	Evarts	Johnson	O'Connor	Stoneman
Boland	Farrell	Kavanaugh	Oliver	Streifler
Brennan E C	Finn	Kelsey	Paris	Taylor
Brennen J F	Fitzgerald	Laimbeer	Patton	TenEyck
Brown	Fordyce	Litchard	Perkins	Tompkins
Burr	Fritz	Lowenthal	Peterson	Trainor
Cain	Gale	Mahar	Pickett	Tripp
Chanler	Gibney	Maloney	Pierce	Van Hoesen
Clark A L	Glaser	Marshall	Raplee	Vincent
Collins	Goodsell	Martin	Redington	Vroman
Costello	Green	Mason	Roche	Wallace
Coughtry	Greenwood	Matteson	Russell	Weill
Cowles	Griggs	McEwan	Sanford	Whipple
Crabtree	Guider	McGuire	Schmid A F	Wicke
Cross	Hachemeis'r	McLaughlin	Schmid F	Witter
Cullen	Haight	Meyer G W	Sears	Wright
Davis	Hanna	Miles	Seligsberg	Zimmerman
DeGraw				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1445) entitled "An act to amend chapter 125 of the Laws of 1842, entitled An act to condense and amend the several acts relating to the village of Albion," and the several acts amendatory thereof." (Int. No. 1111.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hatch	Mitchell	Schmid A F
Addis	Donnelly	Hill	Mohring	Schmid F
Adler	Egan	Hoes	Mullany	Schultz
Allds	Eldridge	Hoffman	Murphy	Sears
Axtell	Ellis	Hubbard	Murray	Seligsberg
Baker	Farrell	Hutton	Myers J C	Shoeneck
Boland	Finn	Ives	Nixon	Simmons
Brennan E C	Fish	Kavanaugh	O'Connor	Sloan
Brennen J F	Fordyce	Kelly	Oliver	Smith E. La G
Brewster	Fritz	Kelsey	Palmer	Stedman
Burr	Fuller	Laimbeer	Paris	Stoneman
Cain	Gale	Litchard	Griggs	Streifler
Chanler	Gallagher	Lowenthal	Perkins	Taylor
Clark C J	Gibney	Mahar	Peterson	Tiffany
Collins	Glaser	Maloney	Phillips	Trainor
Costello	Goodsell	Marshall	Pickett	Tremper
Cottle	Graney	Martin	Post	Van Hoesen
Coughtry	Green	Mason	Raplee	Vincent
Cowles	Greenwood	Matteson	Redington	Wallace
Crabtree	Griggs	McEwan	Reisert	Weill
Cross	Guider	McGuire	Roche	Wicke
Cullen	Hachemeis'r	McKeown	Russell	Williams
Davis	Haight	McLaughlin	Sage	Wright
DeGraw	Hanna	Miles	Sanford	Zimmerman
Delaney	Harburger	Miller		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 934) entitled "An act to incorporate the city of New Rochelle." (Rec. No. 262.)

Said bill was then read the third time, having been printed

and upon the desks of the members in its final form for at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 143 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hatch	Mitchell	Sears
Addis	Dillon	Hays	Mohring	Seligsberg
Adler	Donnelly	Hill	Mullany	Shoeneck
Allds	Dutton	Hoes	Murphy	Simmons
Armstrong	Egan	Hoffman	Murray	Sinsheimer
Axtell	Eldridge	Holbert	Myers J C	Sloan
Baker	Ellis	Hubbard	Nixon	Smith E LaG
Boland	Evarts	Hutton	O'Connor	Stedman
Bondy	Farrell	Ives	Oliver	Stoneman
Brennan EC	Finn	Johnson	Palmer	Streifler
Brennen J F	Fish	Kavanaugh	Paris	Sullivan
Brewster	Fitzgerald	Kelly	Patton	Taylor
Brown	Fordyce	Kelsey	Perkins	Ten Eyck
Burr	Fritz	Kullman	Peterson	Tiffany
Cain	Fuller	Laimbeer	Phillips	Tompkins
Chanler	Gale	Litchard	Pickett	Trainor
Clark A L	Gallagher	Lowenthal	Pierce	Tremper
Clark C J	Gibney	Mahar	Post	Tripp
Collins	Glaser	Maloney	Raplee	Van Hoesen
Costello	Goodsell	Marshall	Reisert	Vincent
Cottle	Graney	Mason	Roche	Vroman
Coughtry	Green	Matteson	Russell	Wallace
Cowles	Greenwood	McEwan	Sage	Weekes
Crabtree	Griggs	McGuire	Sanford	Weill
Cross	Guider	McKeown	Schmid A F	Wicke
Cullen	Hachemeis'r	McLaughlin	Schmid F	Williams
Dale	Haight	Meyer G W	Schultz	Witter
Davis	Hanna	Miles	Schulum	Wright
DeGraw	Harburger	Miller		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1768), entitled "An act to provide for an investigation into the causes of contagious abortion in cows and the best means of its prevention in the dairy herds of the State." (Int. No. 1297.)

On motion of Mr. Johnson, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ YEAS 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Miles	Schmid A F
Addis	Dillon	Hatch	Miller	Schultz
Adler	Donnelly	Hays	Mitchell	Schulum
Allds	Dutton	Hoes	Mohring	Sears
Armstrong	Egan	Hoffman	Murphy	Seligsberg
Axtell	Eldridge	Hubbard	Murray	Sloan
Baker	Evarts	Hutton	Myers J C	Stedman
Boland	Farrell	Ives	Nixon	Stoneman
Bondy	Finn	Johnson	O'Connor	Streifler
Brennan E C	Fish	Kelly	Oliver	Sullivan
Brennen J F	Fitzgerald	Kelsey	Palmer	TenEyck
Brewster	Fordyce	Kullman	Paris	Tiffany
Burr	Fritz	Laimbeer	Perkins	Trainor
Chanler	Fuller	Litchard	Peterson	Tremper
Clark A L	Gale	Lowenthal	Phillips	Tripp
Clark C J	Gallagher	Mahar	Pickett	Van Rens'aer
Collins	Gibney	Maloney	Pierce	Vincent
Costello	Goodsell	Marshall	Post	Wallace
Coughtry	Graney	Martin	Redington	Weekes
Cowles	Green	Mason	Reisert	Weill
Crabtree	Greenwood	Matteson	Roche	Wicke
Cross	Griggs	McGuire	Russell	Williams
Cullen	Guider	McLaughlin	Sage	Witter
Dale	Hachemeis'r	Meyer G W	Sanford	Zimmerman
Davis	Haight			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1326) entitled "An act amending the Public Health Law, in relation to the appraisal of horses affected with glanders, and compensation to owners thereof for such horses killed pursuant to law." (Int. No. 1055.)

On motion of Mr. Kelsey, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 121 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hanna	McLaughlin	Schmid A F
Addis	Davis	Harburger	Miles	Schultz
Adler	DeGraw	Hatch	Miller	Schulum
Allds	Delaney	Hill	Mitchell	Sears
Armstrong	Donnelly	Hoes	Mohring	Seligsberg
Baker	Dutton	Hoffman	Mullany	Shoeneck
Boland	Egan	Hubbard	Murphy	Sinsheimer
Bondy	Ellis	Hutton	Myers J C	Sloan
Brennan E C	Eldridge	Ives	Nixon	Smith E L a G
Brennen J F	Farrell	Johnson	O'Connor	Stedman
Brewster	Fish	Kavanaugh	Oliver	Stoneman
Brown	Fitzgerald	Kelly	Paris	Sullivan
Burr	Fordyce	Kelsey	Patton	Taylor
Cain	Fritz	Laimbeer	Perkins	Tiffany
Chanler	Fuller	Litchard	Peterson	Trainor
Clark A L	Gallagher	Mahar	Phillips	Tremper
Clark C J	Gibney	Maloney	Pickett	Van Hoesen
Collins	Goodsell	Marshall	Post	Vincent
Costello	Graney	Martin	Raplee	Wallace
Cottle	Green	Mason	Redington	Weill
Coughtry	Greenwood	Matteson	Reisert	Wicke
Cowles	Guider	McEwan	Russell	Williams

Crabtree	Hachemeis'r	McGuire	Sage	Wright
Cross	Haight	McKeown	Sanford	Zimmerman
Cullen				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being Senate concurrent resolution (No. 150) entitled "Concurrent resolution proposing an amendment to section 2 of article 6 of the constitution" (Rec. No. 63.)

On motion of Mr. Donnelly, said concurrent resolution was read the second time and ordered to a third reading, in the words following :

Section 1. Resolved (if the assembly concur), That section two of article six of the constitution be amended so as to read as follows :

§ 2. The legislature shall divide the state into four judicial departments. The first department shall consist of the county of New York; the others shall be bounded by county lines, and be compact and equal in population as nearly as may be. Once every ten years the legislature may alter the judicial departments, but without increasing the number thereof. There shall be an appellate division of the supreme court, consisting of seven justices in the first department, and of five justices in each of the other departments. In each department four shall constitute a quorum, and the concurrence of three shall be necessary to a decision. No more than five justices shall sit in any case. From all the justices elected to the supreme court the governor shall designate those who shall constitute the appellate division in each department; and he shall designate the presiding justice thereof, who shall act as such during his term of office, and shall be a resident of the department. The other justices shall be designated for terms of five years or the unexpired portions of their respective terms of office, if less than five years. From time to time as the terms of such designations expire, or vacancies occur, he shall make new designations. A majority of the justices so designated to sit in the appellate division in each department shall be residents of the department. He may also make temporary designations in case of the absence or inability to act of any justice in the appellate division, or in case the presiding justice of any appellate division shall certify to him that one or more additional justices are needed for the speedy disposition of the business before it. Whenever the appellate division in any department shall be unable to dispose of its business within a

reasonable time, a majority of the presiding justices of the several departments at a meeting called by the presiding justice of the department in arrears may transfer any pending appeals from such department to any other department for hearing and determination. No justice of the appellate division shall exercise any of the powers of a justice of the supreme court, other than those of a justice out of court, and those pertaining to the appellate division or to the hearing and decision of motions submitted by consent of counsel. From and after the last day of December, eighteen hundred and ninety-five, the appellate division shall have the jurisdiction now exercised by the supreme court at its general terms and by the general terms of the court of common pleas for the city and county of New York, the superior court of the city of New York, the superior court of Buffalo and the city court of Brooklyn, and such additional jurisdiction as may be conferred by the legislature. It shall have power to appoint and remove a reporter. The justices of the appellate division in each department shall have power to fix the times and places for holding special and trial terms therein, and to assign the justices in the departments to hold such terms; or to make rules therefor.

§ 2. Resolved (if the assembly concur), That the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and that in conformity to section one, article fourteen of the constitution, it be published three months previous to the time of such election.

Said concurrent resolution was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said concurrent resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hill	Mitchell	Sears
Addis	Donnelly	Hoes	Mullany	Seligsberg
Adler	Dutton	Hoffman	Murphy	Shoeneck
Armstrong	Eldridge	Holbert	Murray	Simmons
Axtell	Ellis	Hubbard	Nixon	Sinsheimer

Baker	Farrell	Hutton	O'Connor	Smith E LaG
Boland	Finn	Ives	Oliver	Stedman
Brennan E C	Fish	Kavanaugh	Palmer	Stoneman
Brewster	Fordyce	Kelly	Patton	Streifler
Brown	Fritz	Kullman	Perkins	Sullivan
Cain	Fuller	Laimbeer	Peterson	Taylor
Chanler	Gallagher	Litchard	Phillips	Ten Eyck
Clark A L	Gibney	Mahar	Pierce	Tompkins
Collins	Glaser	Maloney	Post	Trainor
Costello	Goodsell	Marshall	Raplee	Tremper
Coughtry	Graney	Mason	Reisert	Tripp
Cowles	Green	Matteson	Roche	Van Rens'aer
Crabtree	Griggs	McEwan	Russell	Vroman
Cross	Guider	McGuire	Sage	Wallace
Cullen	Hachemeis'r	McLaughlin	Sanford	Weill
Dale	Hanna	Meyer G W	Schmid A F	Wicke
Davis	Harburger	Miles	Schultz	Witter
DeGraw	Hays	Miller	Schulum	Wright
Delaney				

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 851) entitled "An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof, by establishing a board of fire commissioners, and by fixing the salaries of various city officers, and otherwise." (Rec. No. 236.)

On motion of Mr. Tompkins, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Haight	Mullany	Sinsheimer
Addis	Delaney	Hanna	Murphy	Sloan
Adler	Dillon	Harburger	Murray	Smith E La G
Alds	Donnelly	Hatch	Myers J C	Steadman
Armstrong	Dutton	Hays	Nixon	Sullivan
Axtell	Egan	Johnson	O'Connor	Taylor
Baker	Eldridge	Kavanaugh	Oliver	Ten Eyck
Boland	Ellis	Kelly	Palmer	Tiffany
Bondy	Evarts	Kelsey	Paris	Tompkins
Brennan E C	Farrell	Kullman	Patton	Trainor
Brennen J F	Finn	Laimbeer	Perkins	Van Rens'aer
Brewster	Fish	Litchard	Russell	Vincent
Brown	Gallagher	Lowenthal	Sage	Vroman
Burr	Gibney	Mahar	Sanford	Wallace
Cain	Glaser	Maloney	Schmid A F	Weekes
Chanler	Goodsell	Marshall	Schmid F	Weill
Clark A L	Graney	Martin	Schultz	Whipple
Clark C J	Green	Mason	Schulum	Wicke
Collins	Greenwood	Matteson	Sears	Williams
Cullen	Griggs	McEwan	Seligsberg	Witter
Dale	Guider	McGuire	Shoeneck	Wright
Davis	Hachemeis'r	McKeown	Simmons	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1444) entitled "An act to amend chapter 215 of the Laws of 1840, entitled 'An act to incorporate the Atlantic Dock Company,' extending the corporate existence of said company." (Int. No. 1110.)

On motion of Mr. Cullen, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hachemeis'r	McKeown	Sears
Addis	DeGraw	Hoes	McLaughlin	Seligsberg
Adler	Eldridge	Hoffman	Meyer G W	Shoeneck
Allds	Ellis	Holbert	Miles	Sullivan
Armstrong	Evarts	Hubbard	Miller	Taylor
Axtell	Farrell	Hutton	Mitchell	Ten Eyck
Baker	Finn	Ives	Mohring	Tiffany
Boland	Fish	Johnson	Mullany	Tompkins
Bondy	Fitzgerald	Kavanaugh	Murphy	Trainor
Brennan EC	Fordyce	Kelly	Murray	Tremper
Chanler	Fritz	Kelsey	Myers J C	Tripp
Clark A L	Fuller	Kullman	Nixon	Van Hoesen
Clark C J	Gale	Laimbeer	Raplee	Van Rens'aer
Collins	Gallagher	Litchard	Redington	Weekes
Costello	Gibney	Mahar	Reisert	Weill
Cottle	Glaser	Maloney	Roche	Whipple
Coughtry	Goodsell	Marshall	Russell	Wicke
Cowles	Graney	Martin	Sage	Williams
Crabtree	Green	Mason	Sanford	Witter
Cross	Greenwood	Matteson	Schmid A F	Wright
Cullen	Griggs	McEwan	Schmid F	Zimmerman
Dale	Guider	McGuire	Schulum	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 791) entitled "An act to prevent the use of prison manufactures in the public schools." (Int. No. 706.)

On motion of Mr. Roche, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Kavanaugh	Oliver	Stoneman
Addis	Dutton	Kelly	Paris	Streifler
Adler	Egan	Kelsey	Patton	Sullivan
Allds	Eldridge	Kullman	Perkins	Taylor
Armstrong	Ellis	Laimbeer	Peterson	Ten Eyck
Axtell	Evarts	Litchard	Phillips	Tiffany
Baker	Goodsell	Lowenthal	Pickett	Tompkins
Boland	Graney	Mahar	Pierce	Trainor
Bondy	Glaser	Maloney	Post	Tremper
Brennan EC	Greenwood	Marshall	Russell	Tripp
Brennen J F	Griggs	Martin	Sage	Vincent
Brewster	Guider	Miles	Sanford	Vroman
Brown	Hachemeis'r	Miller	Schmid A F	Wallace
Burr	Haight	Mitchell	Schmid F	Weekes
Cain	Hanna	Mohring	Schulum	Weill
Cross	Harburger	Mullany	Sears	Whipple
Cullen	Hatch	Murphy	Seligsberg	Wicke
Dale	Hays	Murray	Shoeneck	Williams
Davis	Hill	Myers J C	Sloan	Witter
DeGraw	Hoes	Nixon	Smith E LaG	Wright
Delaney	Hoffman	O'Connor	Stedman	Zimmerman
Dillon	Johnson	Palmer		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the spe order, being the bill (No. 1253) entitled "An act relating to the discontinuance of proceedings for the improvement of certain streets in the Twenty-sixth ward of the late city of Brooklyn." (Int. No. 1003.)

Said bill having been announced for a second reading,

Mr. Reisert moved to amend said bill as follows:

Page 1, line 3, after the word "proceedings" insert the words "hereinafter named."

Same page, between lines 8 and 9 insert the following, to wit:

"The grading and paving of Richmond street between Jamaica avenue and Fulton street with asphalt; the grading and paving of Sutter avenue between Rockaway avenue and Alabama avenue with asphalt; the grading and paving of Berriman street from Atlantic avenue to New Lots road with Belgian block; the grading and paving of Snediker avenue from Liberty avenue to Dumont street with Belgian block; the grading and paving of Logan street from

Atlantic avenue to New Lots road with Belgian block; the grading and paving of Sackman street from Eastern Parkway to Livonia street with Belgian block; the grading and paving of Vermont street from Jamaica avenue to Eastern Parkway with asphalt; the grading and paving of Hinsdale street from Atlantic avenue to Sutter avenue with Belgian block; the grading and paving of Ashford street from Jamaica avenue to Arlington avenue with Belgian block, or the grading and paving of Ashford street from Jamacia avenue to Arlington avenue with asphalt."

Mr. Speaker then put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time, and on motion of Mr. Reisert was ordered reprinted and placed on the order of third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 506) entitled "An act in relation to local improvement bonds of the late town of Gravesend." (Rec. No. 99.)

On motion of Mr. Roche, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hays	Mitchell	Stedman
Addis	Davis	Hill	Mohring	Stoneman
Adler	DeGraw	Hoes	Mullany	Streifer
Allds	Delaney	Hoffman	Murphy	Sullivan
Armstrong	Dillon	Kavanaugh	Murray	Taylor
Axtell	Fitzgerald	Kelly	Myers J C	Ten Eyck
Baker	Fordyce	Kelsey	Nixon	Tiffany
Boland	Fritz	Kullman	O'Connor	Tompkins
Bondy	Fuller	Laimbeer	Roche	Tremper
Brennan E C	Gale	Litchard	Russell	Tripp

Brown	Gallagher	Lowenthal	Sage	Van Hoesen
Burr	Gibney	Mahar	Sanford	Van Rens'aer
Cain	Glaser	Maloney	Schmid A F	Vincent
Chanler	Goodsell	Marshall	Schmid F	Vroman
Clark A L	Graney	Martin	Schultz	Wallace
Clark C J	Green	Mason	Schulum	Weekes
Collins	Greenwood	Matteson	Sears	Weill
Costello	Griggs	McEwan	Seligsberg	Whipple
Cottle	Guider	McGuire	Shoeneck	Wicke
Coughtry	Hachemeis'r	McKeown	Simmons	Williams
Cowles	Haight	McLaughlin	Sinsheimer	Witter
Crabtree	Hanna	Meyer G W	Sloan	Wright
Cross	Harburger	Miles	Smith F La G	Zimmerman
Cullen	Hatch	Miller		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1509) entitled "An act to amend the Labor Law, in relation to stone used in State or municipal works" (Int. No. 1198.)

On motion of Mr. Maloney, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker resumed the chair.

Mr. Speaker announced the special order being the Senate bill (No. 919) entitled "An act to authorize the Court of Claims to hear, audit and determine alleged claims for military uniforms and repairs thereto for the National Guard of the State of New York, and to make an award therefor." (Rec. No. 274.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form for at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hanna	Myers J C	Sinsheimer
Addis	Dutton	Harburger	Nixon	Sloan
Adler	Egan	Hatch	O'Connor	Smith E LaG
Allds	Eldridge	Hays	Oliver	Stedman
Armstrong	Ellis	Kelly	Palmer	Stoneman
Axtell	Evarts	Kelsey	Paris	Streifler
Baker	Farrell	Kullman	Patton	Sullivan
Boland	Finn	Laimbeer	Perkins	Trainor
Bondy	Fish	Litchard	Peterson	Tremper
Brennan E C	Fitzgerald	Lowenthal	Phillips	Tripp
Brennen J F	Fordyce	Matteson	Pickett	Van Hoesen
Brewster	Fritz	McEwan	Pierce	Van Rens'aer
Brown	Fuller	McGuire	Russell	Vincent
Burr	Gale	McKeown	Sage	Vroman
Cain	Glaser	McLaughlin	Sanford	Weekes
Crabtree	Goodsell	Meyer G W	Schmid A F	Weill
Cross	Graney	Miles	Schmid F	Whipple
Cullen	Green	Miller	Schultz	Wicke
Dale	Greenwood	Mitchell	Sears	Williams
Davis	Griggs	Mohring	Seligsberg	Witter
DeGraw	Guider	Mullany	Shoeneck	Wright
Delaney	Hachemeis'r	Murphy	Simmons	Zimmerman
Dillon	Haight	Murray		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 695) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to clerk to sign warrants." (Rec. No. 191.)

On motion of Mr. Trainor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

) AYES 115)
) NOES 00)

Those who voted in the affirmative, were

Ackert	Ellis	Hubbard	O'Connor	Sloan
Addis	Evarts	Hutton	Patton	Smith E La G
Adler	Farrell	Ives	Perkins	Stoneman
Allds	Finn	Johnson	Peterson	Streifler
Armstrong	Fish	Kavanaugh	Phillips	Sullivan
Axtell	Fitzgerald	Laimbeer	Pickett	Taylor
Baker	Fordyce	Litchard	Pierce	Ten Eyck
Boland	Fritz	Lowenthal	Post	Tiffany
Bondy	Fuller	Martin	Raplee	Tompkins
Brown	Gale	Mason	Redington	Trainor
Burr	Gallagher	Matteson	Reisert	Tremper
Cain	Griggs	McEwan	Roche	Tripp
Chanler	Guider	McGuire	Russell	Van Hoesen
Clark A L	Hachemeis'r	McKeown	Sage	Van Rens'aer
Clark C J	Haight	McLaughlin	Sanford	Wallace
Collins	Hanna	Meyer G W	Schmid A F	Weekes
Costello	Harburger	Mitchell	Schmid F	Weill
Cottle	Hatch	Mohring	Schultz	Whipple
Coughtry	Hays	Mullany	Sears	Wicke
Cowles	Hill	Murphy	Seligsberg	Williams
Crabtree	Hoes	Murray	Shoeneck	Witter
Cross	Hoffman	Myers J C	Simmons	Wright
Eldridge	Holbert	Nixon	Sinsheimer	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1263) entitled "An act to provide a tax budget, and to levy taxes in that portion of The City of New York heretofore known as Long Island City." (Int. No. 1018.)

On motion of the Mr. Glaser, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Mitchell	Sinsheimer
Addis	Dutton	Hoffman	Mohring	Sloan
Adler	Egan	Holbert	Mullany	Smith E L a G
Allds	Eldridge	Ives	Nixon	Stedman
Armstrong	Ellis	Johnson	O'Connor	Stoneman
Axtell	Evarts	Kavanaugh	Oliver	Streifler
Baker	Farrell	Laimbeer	Palmer	Sullivan
Boland	Finn	Litchard	Paris	Taylor
Bondy	Fish	Lowenthal	Post	Ten Eyck
Brennan E C	Goodsell	Mahar	Raplee	Tiffany
Brennen J F	Graney	Maloney	Redington	Tompkins
Brewster	Green	Marshall	Reisert	Trainor
Brown	Greenwood	Martin	Roche	Tremper
Burr	Griggs	Mason	Russell	Weill
Clark C J	Hachemeis'r	Matteson	Sage	Whipple
Collins	Haight	McEwan	Schmid A F	Wicke
Costello	Hanna	McGuire	Schmid, F	Williams
Cottle	Harburger	McKeown	Schultz	Witter
DeGraw	Hatch	McLaughlin	Sears	Wright
Delaney	Hays	Meyer G W	Seligsberg	Zimmerman
Dillon	Hill	Miles	Simmons	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 717) entitled "An act relating to the repavement of Berry street, in the borough of Brooklyn, City of New York, and the payment thereof." (Int. No. 645.)

On motion of A. F. Schmid, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hoffman	Miles	Seligsberg
Addis	Eldridge	Holbert	Miller	Shoeneck
Adler	Ellis	Ives	Murray	Simmons
Allds	Evarts	Johnson	Myers J C	Sinsheimer
Armstrong	Farrell	Kavanaugh	Nixon	Sloan
Axtell	Finn	Kelly	O'Connor	Smith E LaG
Baker	Fish	Kelsey	Oliver	Stedman
Boland	Fitzgerald	Kullman	Palmer	Stoneman
Bondy	Fordyce	Laimbeer	Paris	Streifler
Brennan E C	Fritz	Litchard	Patton	Sullivan
Brennen J F	Fuller	Lowenthal	Perkins	Taylor
Brewster	Gale	Maloney	Pierce	Tremper
Clark A L	Gallagher	Marshall	Post	Tripp
Clark C J	Gibney	Martin	Raplee	Van Hoesen
Collins	Haight	Mason	Redington	Weill
Costello	Hanna	Matteson	Reisert	Whipple
Cottle	Harburger	McEwan	Roche	Wicke
Coughtry	Hatch	McGuire	Russell	Williams
Cowles	Hays	McKeown	Sage	Witter
Dillon	Hill	McLaughlin	Schultz	Wright
Donnelly	Hoes	Meyer G W	Sanford	Zimmerman
Dutton				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1332) entitled "An act to provide for pensioning policemen after twenty years of service, in cities of the third class." (Int. No. 1051.)

On motion of Mr. Peterson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ **AYES** 109 }
 { **NOES** 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hays	Murphy	Sinsheimer
Addis	Davis	Hill	Murray	Sloan
Adler	DeGraw	Hoes	Myers J C	Smith E LaG
Allds	Evarts	Hoffman	Nixon	Stedman
Armstrong	Farrell	Holbert	O'Connor	Stoneman
Axtell	Finn	Kavanaugh	Oliver	Streifler
Baker	Fish	Kelly	Palmer	Sullivan
Boland	Fitzgerald	Kelsey	Paris	Ten Eyck
Bondy	Fordyce	Kullman	Patton	Tiffany
Brennan EC	Fritz	Laimbeer	Perkins	Tompkins
Brennen J F	Fuller	Litchard	Phillips	Trainor
Brewster	Gale	Lowenthal	Pickett	Tremper
Clark A L	Gallagher	McEwan	Pierce	Tripp
Clark C J	Gibney	McGuire	Redington	Van Hoesen
Collins	Glaser	McKeown	Reisert	Vincent
Costello	Goodsell	McLaughlin	Roche	Vroman
Cottle	Graney	Meyer G W	Russell	Wallace
Coughtry	Hachemeis'r	Miles	Sage	Williams
Cowles	Haight	Miller	Sanford	Witter
Crabtree	Hanna	Mitchell	Schmid A F	Wright
Cross	Harburger	Mohring	Schmid F	Zimmerman
Cullen	Hatch	Mullany	Simmons	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 986) entitled "An act declaring Independence creek, or river, in the counties of Lewis and Herkimer, a public highway, and providing means for the assessment of damages to riparian owners thereof." (Rec. No. 298.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hoffman	Murphy	Smith E LaG
Addis	Delaney	Hutton	Murray	Stedman
Adler	Dillon	Ives	Nixon	Stoneman
Allds	Donnelly	Johnson	O'Connor	Streifler
Armstrong	Dutton	Kavanaugh	Oliver	Tiffany
Axtell	Egan	Kelly	Palmer	Tompkins
Baker	Fish	Kelsey	Paris	Trainor
Boland	Fordyce	Mahar	Peterson	Tremper
Brown	Fritz	Maloney	Phillips	Tripp
Brennan EC	Fuller	Marshall	Pickett	Van Hoesen
Brennen J F	Gale	Martin	Pierce	Van Rens'aer
Brewster	Gallagher	Mason	Post	Vincent
Brown	Gibney	Matteson	Raplee	Vroman
Burr	Glaser	McEwan	Russell	Wallace
Cain	Goodsell	McGuire	Sage	Van Rens'aer
Chanler	Graney	McKeown	Sanford	Weekes
Clark A L	Green	McLaughlin	Schultz	Weill
Clark C J	Hanna	Meyer G W	Sears	Whipple
Collins	Harburger	Miles	Seligsberg	Wicke
Cross	Hatch	Miller	Shoeneck	Williams
Cullen	Hays	Mitchell	Simmons	Witter
Dale	Hill	Mohring	Sinsheimer	Wright
Davis	Hoes	Mullany	Sloan	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 742) entitled "An act in relation to license fees for public exhibitions, and for the payment of a part thereof to the Actors' Fund of America." (Rec. No. 189.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 109 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hays	Mullany	Sinsheimer
Addis	Davis	Hill	Murphy	Sloan
Adler	DeGraw	Hoes	Murray	Smith E LaG
Allds	Delaney	Ives	Myers J C	Stedman
Armstrong	Evarts	Johnson	Nixon	Stoneman
Axtell	Farrell	Kavanaugh	O'Connor	Streifler
Brennan EC	Finn	Kelly	Oliver	Sullivan
Brennen J F	Fish	Kelsey	Palmer	Taylor
Brewster	Fitzgerald	Kullman	Paris	Tiffany
Brown	Fordyce	Laimbeer	Patton	Tompkins
Burr	Fritz	Litchard	Perkins	Tripp
Cain	Fuller	Lowenthal	Peterson	Van Hoesen
Chanler	Gale	Matteson	Phillips	Van Rens'aer
Clark A L	Gallagher	McEwan	Pickett	Vincent
Clark C J	Gibney	McGuire	Pierce	Vroman
Collins	Glaser	McKeown	Schmid A F	Wallace
Costello	Goodsell	McLaughlin	Schmid F	Weekes
Coughtry	Graney	Meyer G W	Schultz	Weill
Cowles	Green	Miles	Schulum	Witter
Crabtree	Hanna	Miller	Sears	Wright
Cross	Harburger	Mitchell	Seligsberg	Zimmerman
Cullen	Hatch	Mohring	Shoeneck	

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 894) entitled "An act to provide for the payment of compensation to Rufus G. Beardslee, for services as counsel to the board of education of The City of New York, and authorizing the board of

estimate and apportionment of The City of New York to audit and allow the amount that may be justly due." (Rec. No. 300.)

On motion of Mr. Trainor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Ellis	Hubbard	Murray	Shoeneck
Addis	Evarts	Hutton	Myers, J C	Simmons
Adler	Farrell	Ives	Nixon	Sinsheimer
Allds	Finn	Kelsey	O'Connor	Sloan
Armstrong	Fish	Kullman	Oliver	Smith E La G
Axtell	Fitzgerald	Laimbeer	Palmer	Stedman
Baker	Fordyce	Litchard	Paris	Stoneman
Boland	Fritz	Lowenthal	Patton	Streifler
Bondy	Fuller	Mahar	Perkins	Sullivan
Brennan E C	Gale	Maloney	Peterson	Taylor
Brennen J F	Gallagher	Marshall	Phillips	Ten Eyck
Brewster	Gibney	Martin	Pickett	Tiffany
Brown	Greenwood	Mason	Pierce	Tompkins
Burr	Griggs	Matteson	Post	Vincent
Cain	Guider	McEwan	Raplee	Vroman
Chanler	Hachemeis'r	McGuire	Redington	Wallace
Clark A L	Haight	McKeown	Reisert	Weekes
Clark C J	Hanna	McLaughlin	Sage	Weill
Collins	Harburger	Meyer G W	Sanford	Whipple
Costello	Hatch	Miles	Schmid A F	Wicke
Cottle	Hays	Miller	Schmid F	Williams
Donnelly	Hill	Mitchell	Schultz	Witter
Dutton	Hoes	Mullany	Schulum	Wright
Egan	Hoffman	Murphy	Seligsberg	Zimmerman
Eldridge	Holbert			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 950) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city.'" (Rec. No. 319.)

On motion of Mr. Delaney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Allds	Cullen	Hays	Murphy	Smith E LaG
Armstrong	Dale	Hill	Murray	Stedman
Axtell	Dutton	Hoes	Myers J C	Stoneman
Baker	Egan	Hoffman	Nixon	Streifler
Boland	Eldridge	Holbert	O'Connor	Sullivan
Bondy	Ellis	Litchard	Oliver	Taylor
Brennan E C	Evarts	Lowenthal	Palmer	Ten Eyck
Brennen J F	Farrell	Mahar	Paris	Tiffany
Brewster	Finn	Maloney	Patton	Tompkins
Brown	Fish	Marshall	Perkins	Trainor
Burr	Fitzgerald	Martin	Peterson	Tremper
Cain	Fordyce	Mason	Phillips	Tripp
Chanler	Goodsell	Matteson	Pickett	Van Hoesen
Clark A L	Graney	McEwan	Pierce	Wallace
Clark C J	Green	McGuire	Post	Weekes
Collins	Greenwood	McKeown	Russell	Weill
Costello	Griggs	McLaughlin	Sage	Whipple
Cottle	Hachemeis'r	Miles	Sanford	Wicke
Coughtry	Haight	Miller	Schmid A F	Williams
Cowles	Hanna	Mitchell	Schmid F	Witter
Crabtree	Harburger	Mohring	Schulum	Wright
Cross	Hatch	Mullany	Sloan	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 978) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof." (Rec. No. 318.)

On motion of Mr. Delaney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hubbard	Miller	Schmid F
Addis	Dillon	Hutton	Mitchell	Schulum
Adler	Donnelly	Ives	Mullany	Sears
Allds	Fordyce	Johnson	Murphy	Seligsberg
Armstrong	Fritz	Kavanaugh	Murray	Streifler
Baker	Fuller	Kelly	Myers J C	Sullivan
Axtell	Gale	Kelsey	Nixon	Taylor
Boland	Gallagher	Kullman	O'Connor	Ten Eyck
Bondy	Gibney	Laimbeer	Oliver	Tiffany
Brennan E C	Glaser	Litchard	Palmer	Tompkins
Brennen J F	Goodsell	Lowenthal	Paris	Trainor
Brewster	Graney	Mahar	Patton	Tremper
Brown	Green	Maloney	Perkins	Tripp
Burr	Greenwood	Marshall	Peterson	Van Hoesen
Cain	Griggs	Martin	Phillips	Wallace
Chanler	Guider	Mason	Pickett	Weekes
Clark A L	Hachemeis'r	Matteson	Pierce	Weill
Clark C J	Haight	McEwan	Reisert	Whipple
Collins	Hanna	McGuire	Roche	Wicke
Cross	Harburger	McKeown	Russell	Williams
Cullen	Hatch	McLaughlin	Sage	Witter
Dale	Hays	Meyer G W	Sanford	Wright
Davis	Holbert	Miles	Schmid A F	Zimmerman
DeGraw				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 72) entitled "An act making an appropriation for the construction of a bridge over the Erie canal at Main street, in the village of Pittsford." (Rec. No. 23.)

On motion of Mr. Perkins, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hays	Nixon	Simmons
Addis	Dutton	Hutton	O'Connor	Sinsheimer
Adler	Egan	Ives	Oliver	Sloan
Allds	Eldridge	Johnson	Palmer	Smith E LaG
Armstrong	Ellis	Kavanaugh	Paris	Stedman
Axtell	Evarts	Kelly	Patton	Stoneman
Baker	Farrell	Mahar	Perkins	Ten Eyck
Boland	Finn	Maloney	Peterson	Tiffany
Bondy	Fish	Marshall	Phillips	Tompkins
Brennan E C	Fuller	Martin	Pickett	Trainor
Brennen J F	Gale	Mason	Pierce	Tremper
Brewster	Gallagher	Matteson	Post	Tripp
Brown	Gibney	McEwan	Redington	Van Hoesen
Burr	Glaser	McGuire	Reiser	Van Rens'aer
Cain	Goodsell	McKeown	Roche	Vincent
Chanler	Graney	McLaughlin	Russell	Vroman
Cowles	Green	Meyer G W	Sage	Wallace
Crabtree	Greenwood	Miles	Sanford	Weekes
Cross	Griggs	Miller	Schmid A F	Weill
Cullen	Guider	Mitchell	Schmid F	Whipple
Dale	Hachemeis'r	Mohring	Schultz	Wicke
Davis	Haight	Mullany	Schulum	Witter

DeGraw	Hanna	Murphy	Sears	Wright
Delaney	Harburger	Murray	Seligsberg	Zimmerman
Dillon	Hatch	Myers J C	Shoeneck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1593) entitled "An act to provide for the repair of streets, avenues and public places after the completion of public improvements therein." (Int. No. 1219.)

On motion of Mr. Mitchell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Johnson	Palmer	Stedman
Addis	Donnelly	Kavanaugh	Paris	Stoneman
Ad'ler	Dutton	Kelly	Patton	Streifler
Allds	Egan	Kelsey	Perkins	Sullivan
Armstrong	Fordyce	Kullman	Peterson	Taylor
Axtell	Fritz	Laimbeer	Phillips	Ten Eyck
Baker	Fuller	Litchard	Pickett	Tiffany
Boland	Gale	Lowenthal	Pierce	Tompkins
Bondy	Gallagher	Mahar	Post	Trainor
Brown	Gibney	Maloney	Raplee	Vincent
Burr	Glaser	Marshall	Russell	Vroman
Cain	Goodsell	Martin	Sage	Wallace
Chanler	Graney	Mason	Sanford	Weekes
Clark A L	Green	Matteson	Schmid A F	Weill
Clark C J	Greenwood	McEwan	Schmid F	Whipple
Collins	Griggs	McGuire	Schultz	Wicke
Costello	Guider	Murray	Schulum	Williams
Cottle	Hachemeis'r	Myers J C	Sears	Witter
Davis	Haight	Nixon	Simmons	Wright
DeGraw	Hanna	O'Connor	Sinsheimer	Zimmerman
Delaney	Ives	Oliver		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 617) entitled "An act to amend chapter 710 of the Laws of 1895, entitled 'An act to establish the office of comptroller in the city of Mount Vernon, providing for the appointment of such officer and defining his rights and duties.'" (Int. No. 572.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Johnson	Mohring	Shoeneck
Addis	Davis	Kavanaugh	Mullany	Simmons
Adler	DeGraw	Kelly	Murphy	Sinsheimer
Allds	Delaney	Kelsey	Murray	Sloan
Armstrong	Dutton	Kullman	Myers J C	Smith E LaG
Axtell	Egan	Laimbeer	Nixon	Stedman
Brennan E C	Eldridge	Litchard	O'Connor	Stoneman
Brennen J F	Ellis	Lowenthal	Oliver	Streifler
Brewster	Evarts	Mahar	Palmer	Sullivan
Brown	Farrell	Maloney	Paris	Taylor
Burr	Finn	Marshall	Patton	Ten Eyck
Cain	Fish	Martin	Perkins	Tiffany
Chanler	Fitzgerald	Mason	Phillips	Van Rens'aer
Clark A L	Fordyce	Matteson	Pickett	Vincent
Clark C J	Hatch	McEwan	Pierce	Vroman
Collins	Hays	McGuire	Post	Wallace
Costello	Hill	McKeown	Raplee	Whipple
Cottle	Hoes	McLaughlin	Redington	Wicke
Coughtry	Hoffman	Meyer G W	Reisert	Williams
Cowles	Holbert	Miles	Roche	Witter
Crabtree	Hubbard	Miller	Schultz	Wright
Cross	Hutton	Mitchell	Seligsberg	Zimmerman
Cullen	Ives			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 234, Assembly reprint No. 1751) entitled "An act to amend chapter 355 of the Laws of 1895, entitled 'An act to incorporate the Children's Aid Society of Rochester'" (Rec. No. 26), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hanna	Meyer G W	Sears
Addis	Dillon	Hatch	Miles	Seligsberg
Adler	Donnelly	Hays	Mitchell	Shoeneck
Allds	Dutton	Hill	Mohring	Simmons
Armstrong	Eldridge	Hoes	Mullany	Sloan
Axtell	Ellis	Holbert	Murray	Smith E LaG
Baker	Evarts	Hubbard	Myers J C	Stedman
Boland	Farrell	Hutton	O'Connor	Stoneman
Bondy	Finn	Ives	Oliver	Streifler
Brennan EC	Fish	Kavanaugh	Palmer	Taylor
Brennen J F	Fordyce	Kelly	Patton	Ten Eyck
Brewster	Fritz	Kelsey	Perkins	Tompkins
Burr	Fuller	Kullman	Phillips	Trainor
Cain	Gale	Laimbeer	Pickett	Tripp
Chanler	Gallagher	Litchard	Pierce	Van Hoesen
Clark C J	Gibney	Mahar	Raplee	Vincent
Collins	Glaser	Maloney	Redington	Wallace
Costello	Goodsell	Marshall	Roche	Weekes
Cottle	Graney	Martin	Russell	Weill
Coughtry	Green	Mason	Sanford	Wicke
Crabtree	Greenwood	McEwan	Schmid A F	Williams
Cullen	Griggs	McGuire	Schmid F	Wright
Davis	Guider	McLaughlin	Schultz	Zimmerman
DeGraw	Haight			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 1778) entitled "An act authorizing the city of Rensselaer to use certain lands for park purposes." (Int. No. 1311.)

On motion of Mr. Russell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hanna	Miles	Seligsberg
Addis	Dillon	Harburger	Miller	Shoeneck
Adler	Donnelly	Hays	Mohring	Sinsheimer
Allds	Egan	Hoes	Mullany	Sloan
Axtell	Eldridge	Hoffman	Murray	Smith E LaG
Baker	Ellis	Holbert	Nixon	Stoneman
Boland	Farrell	Hutton	O'Connor	Streifler
Bondy	Finn	Ives	Oliver	Taylor
Brennen J F	Fish	Kavanaugh	Paris	Tiffany
Brewster	Fitzgerald	Kelly	Patton	Trainor
Burr	Fritz	Kelsey	Peterson	Tripp
Cain	Fuller	Kullman	Pickett	Van Hoesen
Clark A L	Gale	Litchard	Pierce	Vincent
Clark C J	Gallagher	Lowenthal	Raplee	Wallace
Costello	Gibney	Mahar	Reisert	Weekes
Cottle	Goodsell	Maloney	Russell	Weill
Cowles	Graney	Marshall	Sage	Whipple
Crabtree	Greenwood	Mason	Schmid A F	Wicke
Cullen	Griggs	McEwan	Schmid F	Witter
Dale	Guider	McKeown	Sears	Zimmerman
Davis	Haight	McLaughlin		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1718) entitled "An act to amend the Labor Law, relating to the determination of what constitutes the prevailing rate of wages to be paid to employes on public works." (Int. No. 848.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 {
{ NOES 00 {

Those who voted in the affirmative, were

Ackert	Dillon	Hatch	Miller	Shoeneck
Addis	Donnelly	Hays	Mohring	Sinsheimer
Adler	Egan	Hoffman	Mullany	Sloan
Allds	Eldridge	Holbert	Murphy	Smith E EaG
Axtell	Evarts	Hubbard	Myers J C	Stoneman
Baker	Farrell	Ives	O'Connor	Streifler
Bondy	Finn	Kavanaugh	Oliver	Sullivan
Brennan EC	Fish	Kelly	Patton	Ten Eyck
Brewster	Fordyce	Kullman	Perkins	Tiffany
Brown	Fritz	Litchard	Phillips	Trainor
Cain	Gale	Lowenthal	Pickett	Tremper
Clark A L	Gallagher	Mahar	Post	Van Hoesen
Clark C J	Glaser	Maloney	Redington	Van Rens'aer
Collins	Goodsell	Marshall	Roche	Vroman
Cottle	Graney	Mason	Russell	Wallace
Cowles	Greenwood	Matteson	Sanford	Weekes
Cross	Griggs	McGuire	Schmid F	Whipple
Cullen	Guider	McKeown	Schultz	Williams
Dale	Haight	Meyer G W	Schulum	Witter
DeGraw	Harburger	Miles	Seligsberg	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1742) entitled "An act for the relief of the Mount Sinai Hospital of The

City of New York, and to authorize the change of a lease from the mayor, aldermen and commonalty of The City of New York to the Mount Sinai Hospital to a grant and to authorize the sale or leasing of the said property by the Mount Sinai Hospital." (Int. No. 1314.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hatch	Mitchell	Simmons
Addis	Donnelly	Hays	Mullany	Sloan
Adler	Egan	Hoes	Murray	Smith E LaG
Allds	Eldridge	Holbert	Myers J C	Stedman
Axtell	Ellis	Hubbard	O'Connor	Stoneman
Baker	Farrell	Ives	Palmer	Sullivan
Boland	Finn	Kavanaugh	Paris	Ten Eyck
Bondy	Fish	Kelly	Patton	Tompkins
Brennan J F	Fitzgerald	Kullman	Peterson	Tremper
Brewster	Fordyce	Litchard	Phillips	Van Hoesen
Burr	Fuller	Lowenthal	Pierce	Van Rens'aer
Chanler	Gale	Mahar	Post	Vincent
Clark C J	Gibney	Maloney	Reisert	Wallace
Collins	Glaser	Marshall	Roche	Weekes
Costello	Graney	Mason	Russell	Whipple
Coughtry	Green	Matteson	Sanford	Wicke
Cowles	Greenwood	McEwan	Schmid A F	Williams
Cross	Guider	McKeown	Schultz	Witter
Cullen	Hachemeis'r	McLaughlin	Schulum	Wright
Davis	Haight	Miles	Seligberg	Zimmerman
DeGraw	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1747) entitled "An act to provide for the maintenance and govern-

ment of the public schools of the city of Jamestown." (Int. No. 1319.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Holbert	Murray	Simmons
Addis	Egan	Hubbard	Myers J C	Sinsheimer
Adler	Eldridge	Hutton	O'Connor	Sloan
Allds	Evarts	Johnson	Oliver	Smith E La G
Armstrong	Farrell	Kavanaugh	Palmer	Stoneman
Axtell	Finn	Kelly	Paris	Sullivan
Boland	Fish	Kelsey	Patton	Taylor
Bondy	Fitzgerald	Laimbeer	Peterson	Ten Eyck
Brennan E C	Fordyce	Litchard	Phillips	Tiffany
Brewster	Fuller	Mahar	Pickett	Tompkins
Brown	Gale	Marshall	Pierce	Trainor
Burr	Gibney	Martin	Post	Tremper
Chanler	Goodsell	Matteson	Raplee	Van Hoesen
Clark A L	Green	McEwan	Reisert	Van Rens'aer
Collins	Greenwood	McGuire	Roche	Vincent
Costello	Guider	McKeown	Russell	Wallace
Coughtry	Hachemeis'r	McLaughlin	Sage	Weekes
Cowles	Haight	Miles	Schmid A F	Whipple
Cross	Hanna	Miller	Schmid F	Wicke
Cullen	Hatch	Mitchell	Schulum	Williams
Davis	Hill	Mullany	Seligsberg	Witter
Delaney	Hoes	Murphy	Shoeneck	Wright
Dillon				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1746) entitled "An act to authorize the Rensselaer Polytechnic Institute to regulate and prescribe terms of admission to its courses of study and to grant degrees and certificates." (Int. No. 1318.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 } .

Those who voted in the affirmative, were

Ackert	DeGraw	Hatch	Mitchell	Sears
Addis	Dillon	Hays	Mullany	Seligsberg
Adler	Dutton	Hoes	Murphy	Shoeneck
Allds	Egan	Hoffman	Myers J C	Sinsheimer
Armstrong	Eldridge	Hubbard	Nixon	Smith E LaG
Baker	Evarts	Hutton	Oliver	Stedman
Boland	Farrell	Ives	Palmer	Stoneman
Bondy	Finn	Kavanaugh	Paris	Sullivan
Brennen J F	Fish	Kelly	Perkins	Taylor
Brewster	Fordyce	Kelsey	Phillips	Tiffany
Brown	Fuller	Laimbeer	Pickett	Trainor
Cain	Gale	Lowenthal	Pierce	Tripp
Clark A L	Gallagher	Mahar	Post	Van Hoesen
Clark C J	Glaser	Marshall	Raplee	Vincent
Costello	Goodsell	Martin	Redington	Vroman
Cottle	Graney	Matteson	Reisert	Weekes
Coughtry	Greenwood	McEwan	Roche	Whipple
Crabtree	Griggs	McGuire	Sage	Wicke
Cross	Hachemeis'r	McKeown	Sanford	Witter
Dale	Haight	Meyer G W	Schmid F	Wright
Davis	Hanna	Miller	Schultz	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Perkins called up the bill (No. 735) entitled "An act to amend chapter 413 of the Laws of 1897, entitled 'An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law,' in reference to the education fund" (Int. No. 417), heretofore recalled from the Governor.

Mr. Perkins moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote upon the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Ellis	Johnson	O'Connor	Sloan
Addis	Evarts	Kavanaugh	Oliver	Smith E LaG
Adler	Farrell	Kelsey	Paris	Stedman
Armstrong	Fish	Kullman	Patton	Stoneman
Baker	Fitzgerald	Laimbeer	Perkins	Sullivan
Bondy	Fritz	Lowenthal	Phillips	Taylor
Brennen J F	Fuller	Mahar	Pickett	Tiffany
Brown	Gale	Maloney	Post	Tompkins
Cain	Glaser	Marshall	Raplee	Trainor
Clark A L	Graney	Mason	Redington	Tripp
Collins	Green	Matteson	Roche	Van Rens'aer
Cottle	Guider	McGuire	Sage	Vroman
Cowles	Haight	McKeown	Sanford	Wallace
Crabtree	Harburger	McLaughlin	Schmid A F	Weill
Cullen	Hatch	Miles	Schultz	Whipple
Dale	Hill	Miller	Sears	Wicke
Davis	Hoes	Mitchell	Seligsberg	Williams
Delaney	Hoffman	Mullaňy	Shoeneck	Witter
Donnelly	Holbert	Murphy	Simmons	Wright
Dutton	Hubbard	Murray	Sinsheimer	Zimmerman
Eldridge	Hutton	Nixon		

Mr. Perkins moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended as follows:

Strike out section 5 and insert the following:

"§ 5. The comptroller of the state of New York is hereby directed to pay over to the loan commissioners of the various counties of the state of New York, as hereinafter provided, all amounts of principal derived from the United States deposit fund now in his hands. Whenever the loan commissioners of any county shall report to the comptroller that they have approved of a loan secured by mortgage in compliance with the provisions of this act, the comptroller shall thereupon remit to the said commissioners the amount of such loan so to be taken by them and they shall thereupon invest the same

in such mortgage. The comptroller shall pay over the principal of the said United States deposit fund as may be required from time to time, to the loan commissioners for the respective counties upon their report as above provided until the amount of principal of the said fund received from the respective counties shall have been repaid in full to the loan commissioners of such counties and such sums so repaid shall be by them invested and reinvested in loans secured by mortgage in compliance with the provisions of this act."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Nixon, from the committee on ways and means, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent Mr. Coughtry called up the bill (No. 1582) entitled "An act to amend chapter 490 of the Laws of 1885, entitled 'An act concerning tramps,' in relation to their punishment" (Int. No. 119), and moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	82	}
{	NOES	25	}

Those who voted in the affirmative, were

Ackert	Eldridge	Hill	Mullany	Schulura
Adler	Evarts	Hoffman	Murphy	Shoeneck
Boland	Farrell	Hutton	O'Connor	Sinsheimer
Bondy	Fish	Kavanaugh	Oliver	Sloan
Brennan E C	Fitzgerald	Kelly	Palmer	Smith E La G
Brennen J F	Fordyce	Kullman	Paris	Stedman
Brown	Fritz	Lowenthal	Phillips	Sullivan
Burr	Gale	Maloney	Pickett	Taylor
Cain	Gibney	Marshall	Pierce	Ten Eyck
Clark C J	Glaser	Martin	Post	Tripp
Collins	Green	Mason	Redington	Van Hoesen
Cottle	Greenwood	McEwan	Reisert	Vroman

Coughtry	Guider	McGuire	Roche	Wallace
Crabtree	Hachemeis'r	McLaughlin	Sage	Weill
Dale	Haight	Meyer G W	Sanford	Wicke
Delaney	Hanna	Mitchell	Schmid F	Williams
Egan	Harburger			

Those who voted in the negative, were

Addis	Dillon	Ives	Nixon	Seligsburg
Armstrong	Ellis	Kelsey	Perkins	Tiffany
Baker	Fuller	Mahar	Peterson	Van Rens'aer
Brewster	Goodsell	McKeown	Raplee	Vincent
Davis	Griggs	Miles	Russell	Whipple

Debate was had thereon, when

Mr. Coughtry moved the previous question.

Mr. Speaker put the question, " Shall the main question be now put? " and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 38 }

Those who voted in the affirmative, were

Ackert	Egan	Harburger	Meyer G W	Sears
Addis	Eldridge	Hays	Mitchell	Shoeneck
Allds	Evarts	Hill	Mullany	Sinsheimer
Boland	Farrell	Hoffman	Murphy	Sloan
Bondy	Fish	Holbert	O'Connor	Smith E ^r LaG
Brennan EC	Fitzgerald	Hutton	Oliver	Stedman
Brennen J F	Fordyce	Johnson	Palmer	Stoneman
Burr	Fritz	Kavanaugh	Paris	Sullivan
Cain	Gale	Kelly	Pickett	Ten Eyck
Clark C J	Gallagher	Kullman	Pierce	Trainor
Collins	Glaser	Lowenthal	Post	Tripp
Coughtry	Green	Marshall	Redington	Van Hoesen
Crabtree	Greenwood	Martin	Reisert	Vroman

Dale	Guider	Mason	Roche	Wallace
DeGraw	Hachemeis'r	McEwan	Sage	Weill
Delaney	Haight	McGuire	Sanford	Wicke
Donnelly	Hanna	McLaughlin	Schmid F	Williams

Those who voted in the negative, were

Armstrong	Ellis	Kelsey	Patton	Streifler
Baker	Fuller	Laimbeer	Perkins	Tiffany
Brewster	Gibney	Litchard	Raplee	Tompkins
Clark A L	Goodsell	Mahar	Russell	Van Rens'aer
Costello	Graney	McKeown	Schmid A F	Vincent
Cottle	Griggs	Miles	Seligberg	Weekes
Davis	Hoes	Myers J C	Simmons	Whipple
Dillon	Ives	Nixon		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate sent for concurrence the bill (No. 905) entitled "An act fixing the term of office of the coroner of Erie county elected at the annual election held in the year 1896, and providing for the election of his successor" (Rec. No. 279), which was read the first time.

On motion of Mr. Patton, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Patton, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hoes	Murphy	Shoeneck
Adler	Donnelly	Hoffman	Murray	Sinsheimer
Allds	Dutton	Holbert	Nixon	Sloan
Armstrong	Egan	Hubbard	O'Connor	Smith E. LaG

Baker	Ellis	Hutton	Oliver	Stedman
Boland	Evarts	Ives	Paris	Streifler
Bondy	Finn	Kavanaugh	Patton	Sullivan
Brennen J F	Fish	Kelly	Perkins	Ten Eyck
Brewster	Fitzgerald	Kelsey	Peterson	Tiffany
Brown	Fordyce	Laimbeer	Phillips	Tompkins
Cain	Fuller	Litchard	Pickett	Tremper
Chanler	Gallagher	Mahar	Post	Tripp
Clark A L	Gibney	Maloney	Raplee	Van Hoesen
Clark C J	Goodsell	Marshall	Redington	Vincent
Costello	Graney	Mason	Roach	Vroman
Cottle	Greenwood	McEwan	Russell	Wallace
Coughtry	Griggs	McKeown	Sanford	Weill
Crabtree	Guider	McLaughlin	Schmid F	Whipple
Cross	Haight	Meyer G W	Schultz	Wicke
Dale	Hanna	Miller	Schulum	Witter
Davis	Hatch	Mitchell	Sears	Wright
DeGraw	Hays	Mullany	Seligsberg	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1819, Senate reprint No. 1878) entitled "An act in relation to enrollment for political parties, primary elections, conventions, and political committees" (Int. No. 1081), with a message that they have concurred in the passage of the same, with the following amendments:

Page 39, line 10, after the word "of" insert the words "such committee from."

Page 43, line 17, strike out the word "applicable" and insert the words "or shall be applied."

Mr. Nixon moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 102 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hays	Myers J C	Sinsheimer
Addis	Donnelly	Hoes	Nixon	Sloan
Adler	Dutton	Hoffman	O'Connor	Smith E La G
Allds	Eldridge	Holbert	Palmer	Stoneman
Armstrong	Ellis	Hutton	Patton	Streifler
Baker	Farrell	Johnson	Peterson	Taylor
Boland	Finn	Kelly	Phillips	Tiffany
Brennan E C	Fish	Kullman	Pierce	Tompkins
Brennen J F	Fordyce	Litchard	Post	Tremper
Brown	Fritz	Mahar	Redington	Tripp
Burr	Fuller	Maloney	Reisert	Van Rens'aer
Chanler	Gallagher	Marshall	Russell	Vincent
Clark C J	Gibney	Mason	Sage	Vroman
Collins	Goodsell	McEwan	Sanford	Wallace
Cottle	Graney	McKeown	Schmid F	Weill
Coughtry	Greenwood	Meyer G W	Schultz	Whipple
Cowles	Griggs	Miller	Schulum	Wicke
Cross	Guider	Mitchell	Seligsberg	Williams
Cullen	Hachemeis'r	Mullany	Shoeneck	Witter
Dale	Hanna	Murphy	Simmons	Wright
DeGraw	Hatch			

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That Senate bill No. 63, entitled "An act making an appropriation to compensate the stenographer to the commissioner appointed by the governor of the State of New York, on the 18th day of February, 1896, to inquire into the charges preferred against Edward J. H. Tamsen as sheriff of the city and county of New York" (Rec. No. 35), be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Addis, from the committee on engrossed bills, reported as correctly printed or engrossed, the bills entitled as follows:

“An act to amend section 3 of chapter 116 of the Laws of 1897, entitled ‘An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office.’” (No. 1783, Int. No. 471.)

“An act to amend chapter 203 of the Laws of 1881, entitled ‘An act to authorize the burial of the bodies of any honorably discharged soldier, sailor or marine, who shall hereafter die without leaving means sufficient to defray funeral expenses,’ as amended by chapter 216 of the Laws of 1887, to provide for a headstone for any honorably discharged soldier, sailor or marine heretofore or hereafter buried in any of the counties of this State.” (No. 1788, Rec. No. 53.)

“An act to incorporate the Firemen’s Benevolent Association of North Tonawanda.” (No. 1790, Int. No. 109.)

“An act to amend the Public Health Law, and the acts amendatory thereof, in relation to the practice of dentistry.” (No. 1784, Int. No. 1129.)

“An act to amend chapter 661 of the Laws of 1893, entitled ‘An act in relation to the public health, constituting chapter 25 of the general laws,’ relating to pharmacy, and to repeal sections 404 and 405a of the Penal Code.” (No. 1785, Int. No. 812.)

“An act to amend chapter 105 of the Laws of 1891, entitled ‘An act to revise the charter of the city of Buffalo,’ relative to taxes.” (No. 1786, Int. No. 1005.)

“An act to amend chapter 251 of the Laws of 1896, entitled ‘An act for the protection of fur-bearing animals in the counties of Wayne, Jefferson and Cayuga.’” (No. 1792, Int. No. 1148.)

The Senate returned the Senate bill (No. 702, Assembly reprint No. 1706) entitled “An act for the government of cities of the second class” (Rec. No. 67), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

A communication was received from Hon. Conrad Diehl, mayor of the city of Buffalo, returning the bill (No. 813) entitled “An

act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, completing, enlarging, repairing and furnishing school buildings " (Int. No. 725), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Robert A. Van Wyck, mayor of The City of New York, returning the bill (No. 677, Senate reprint No. 620) entitled " An act for the relief of Amie B. Conklin " (Int. No. 108), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. G. H. Strong, mayor of the city of Olean, returning the bill (No. 1228) entitled " An act to amend chapter 478 of the Laws of 1893, entitled ' An act to incorporate the city of Olean ' " (Int. No. 534), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Burr gave notice that he requests that the bill (No. 1029) entitled " An act to confirm and legalize certain concurrent resolutions for printing by the Legislature of 1896 and 1897, and certain printing ordered pursuant to the rules of the Senate and Assembly respectively during the session of 1896, and for extra copies furnished for the use of the Legislature of 1896 and 1897 " (Int. No. 889), be referred to the committee on rules, to be made a special order.

Mr. Ellis gave notice that he requests that the bill (No. 1536) entitled " An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Alabama, in the county of Genesee, against the State for damages alleged to have been sustained by said town, and render judgment therefor " (Int. No. 1174), be referred to the committee on rules, to be made a special order.

Mr. Hubbard gave notice that he requests that the bill (No. 695) entitled " An act to authorize the Comptroller of this State to hear and determine the application of the owners of certain lands

in Kings county for cancellation of a tax sale and allowing redemption from subsequent tax sales upon paying the amount charged against the same " (Int. No. 623), be referred to the committee on rules, to be made a special order.

Mr. Burr gave notice that he requests that the bill (No. 1567) entitled " An act to amend the County Law, relating to the designation of newspapers for publication of session laws " (Int. No. 1208) be referred to the committee on rules, to be made a special order.

Mr. Sage gave notice that he requests that the bill (No. 1542) entitled " An act to amend the Railroad Law " (Int. No. 1180), be referred to the committee on rules, to be made a special order.

Mr. Sears gave notice that he requests that the bill (No. 1563) entitled " An act to amend chapter 589 of the Laws of 1868, entitled ' An act to incorporate the Chateaugay Water Works Company ' " (Int. No. 1204), be referred to the committee on rules, to be made a special order.

Mr. Gale gave notice that he requests that the bill (No. 1586) entitled " An act to provide for the support and maintenance of the Woodhaven fire department of the town of Jamaica, borough of Queens, in The City of New York " (Int. No. 1212), be referred to the committee on rules, to be made a special order.

Mr. Mitchell gave notice that he requests that the bill (No. 1593) entitled " An act to provide for the repair of streets, avenues and public places after the completion of public improvements therein " (Int. No. 1219), be referred to the committee on rules, to be made a special order.

Mr. Eldridge gave notice that he requests that the bill (No. 1828) entitled " An act to amend the Railroad Law relative to use of sand upon tracks " (Int. 524), be referred to the committee on rules, to be made a special order.

Mr. Dutton gave notice that he requests that the bill (No. 1660) entitled " An act to amend chapter 251 of the Laws of 1896, entitled ' An act for the protection of fur-bearing animals in the counties of Wayne, Jefferson and Cayuga " (Int. No. 1148), be referred to the committee on rules, to be made a special order.

Mr. Finn gave notice that he requests that the bill (No. 1780)

entitled "An act to extend the time for the completion of the Hudson tunnel railway" (Int. No. 1321), be referred to the committee on rules, to be made a special order.

Mr. Steadman gave notice that he requests that the bill (No. 1812) entitled "An act to authorize the city of Cohoes to borrow money, by the issue of bonds, for the improvement of the water works and extension of the water mains in said city" (Int. No. 1338), be referred to the committee on rules, to be made a special order.

Mr. Raplee gave notice that he requests that the bill (No. 1785) entitled "An act to amend chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws,' relating to pharmacy, and to repeal section 404 and 405a of the Penal Code" (Int. No. 812), be referred to the committee on rules, to be made a special order.

Mr. Green gave notice that he requests that the bill (No. 1627) entitled "An act to amend section 1771 of the Code of Civil Procedure" (Int. No. 1264), be referred to the committee on rules, to be made a special order.

Mr. Miller gave notice that he requests that the bill (No. 1796) entitled "An act to amend the Tax Law, in relation to the transfer tax assistant district attorney" (Int. No. 630), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests that Senate bill (No. 250) entitled "An act to further amend chapter 203 of the Laws of 1881, as subsequently amended, entitled 'An act to authorize the burial of the body of any honorably discharged soldier, sailor or marine, who shall have hereafter died without leaving the means sufficient to defray funeral expenses; and to provide for a headstone for any honorably discharged soldier, sailor or marine heretofore or hereafter buried in any of the counties of this State'" (Rec. No. 53), be referred to the committee on rules, to be made a special order.

Mr. Donnelly gave notice that he requests that Senate bill (No. 637) entitled "An act releasing certain real estate of the German Reformed Protestant Dutch Church, in The City of New York, from the taxes for the year 1897" (Rec. No. 167), be referred to the committee on rules, to be made a special order.

Mr. McKeown gave notice that he requests that Senate bill (No. 870) entitled "An act for the relief of the German Hospital Society of Brooklyn, New York" (Rec. No. 286), be referred to the committee on rules, to be made a special order.

Mr. Tremper gave notice that he requests that Senate bill (No. 363) entitled "An act to amend the Game Law, and the acts amendatory thereof, relating to the hunting and killing of deer in the counties of Ulster, Greene, Delaware and Sullivan" (Rec. No. 97), to be referred to the committee on rules, to be made a special order.

Mr. McEwan gave notice that he requests that Senate bill (No. 63) entitled "An act making an appropriation to compensate the stenographer to the commissioner appointed by the Governor of the State of New York, on the 18th day of February, 1896, to inquire into the charges preferred against Edward J. H. Tamsen, as sheriff of the city and county of New York" (Rec. No. 35), be referred to the committee on rules, to be made a special order.

By unanimous consent, Mr. Sears called up the Senate bill (No. 433) entitled "An act to amend section 92 of chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations,'" (Int. No. 124), and moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, to take from the table and it was determined in the affirmative.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
 { NOES 57 }

Those who voted in the affirmative, were

Ackert	Egan	Hays	Mohring	Schmid F
Adler	Eldridge	Hoes	Mullany	Schultz
Boland	Farrell	Hoffman	Murray	Schulum
Bondy	Finn	Holbert	Myers J C	Sears
Brennan E C	Fitzgerald	Hubbard	Nixon	Shoeneck
Brennen J F	Fordyce	Ives	O'Connor	Sinsheimer
Brewster	Fritz	Kavanaugh	Oliver	Sloan
Cain	Gale	Kelly	Phillips	Stoneman
Collins	Gallagher	Lowenthal	Pierce	Sullivan
Crabtree	Gibney	Mahar	Redington	Ten Eyck
Cross	Goodsell	Maloney	Reisert	Trainor
Cullen	Graney	Mason	Roche	Tremper
DeGraw	Greenwood	McEwan	Russell	Tripp
Delaney	Guider	McGuire	Sage	Van Rens'aer
Dillon	Hachemeis'r	McKeown	Sanford	Wicke
Donnelly	Harburger	McLaughlin	Schmid A F	Williams
Dutton	Hatch	Mitchell		

Those who voted in the negative, were

Addis	Ellis	Kelsey	Patton	Tompkins
Allds	Evarts	Kullman	Perkins	Van Hoesen
Armstrong	Fish	Laimbeer	Peterson	Vincent
Axtell	Fuller	Litchard	Post	Vroman
Baker	Glaser	Marshall	Raplee	Wallace
Burr	Green	Martin	Seligsberg	Weekes
Clark C J	Griggs	Matteson	Simmons	Whipple
Costello	Haight	Miles	Smith E LaG	Witter
Cottle	Hanna	Miller	Streifler	Wright
Cowles	Hill	Murphy	Taylor	Zimmerman
Dale	Hutton	Palmer	Tiffany	Speaker
Davis	Johnson			

Mr. Nixon moved that the House do now adjourn, to meet to-morrow morning at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

FRIDAY, MARCH 25.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Forrest Hallenbeck.

On motion of Mr. Graney, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker from the committee on rules to which was referred the Senate bill (No. 855) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims" (Rec. No. 238), reported in favor of the passage of the same with the following amendments, and that the same be reprinted and made a special order on second and third reading :

Page 1, line 1, strike out the word "sixty-one" and insert the word "sixty-eight" and after the word "thousand" in same line insert the word "five hundred."

Which report was agreed to, and said bill ordered reprinted and made a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 854) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State" (Rec. No. 237), reported in favor of the passage of the same, with the following amendment, and that the same be reprinted and made a special order on second and third reading :

Page 1, line 1, strike out the word "forty-three" and insert the word "sixty-one."

Which report was agreed to, and said bill ordered reprinted and made a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 1191) entitled "An act to enable the city of Albany to pay sundry debts for printing and advertising" (Int. No. 987), reported in favor of the passage of the same, with the following amendments, and that the same be recommitted to said committee :

Page 2, line 3, strike out the word "five" and insert the word "three;" also, strike out the word "five" and insert the word "one," and after the word "hundred" insert the words "and fifty."

Which report was agreed to, and said bill recommitted to the committee on rules.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately :

“An act to confirm and legalize certain concurrent resolutions for printing passed by the Legislature of 1896 and 1897, and certain printing ordered pursuant to the rules of the Senate and Assembly respectively during the session of 1896, and for extra copies furnished for the use of the Legislature of 1896 and 1897.” (No. 1029, Int. No. 889.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Alabama, in the county of Genesee, against the State for damages alleged to have been sustained by said town, and render judgment therefor.” (No. 1536, Int. No. 1174.)

“An act to authorize the Comptroller of this State to hear and determine the application of the owners of certain lands in Kings county for cancellation of a tax sale and allowing redemption from subsequent tax sales upon paying the amount charged against the same.” (No. 695, Int. No. 623.)

“An act to amend the County Law, relating to the designation of newspapers for publication of session laws.” (No. 1567, Int. No. 1208.)

“An act to amend the Railroad Law.” (No. 1542, Int. No. 1180.)

“An act to amend chapter 589 of the Laws of 1868, entitled ‘An act to incorporate the Chateaugay Water Works Company.’” (No. 1563, Int. No. 1204.)

“An act to provide for the support and maintenance of the Woodhaven fire department of the town of Jamaica, borough of Queens, in The City of New York. (No. 1586, Int. No. 1219.)

“An act to provide for the repair of streets, avenues and public places after the completion of public improvements therein.” (No. 1593, Int. No. 1212.)

“An act to amend the Railroad law, relative to use of sand upon tracks. (No. 1828, Int. No. 524.)

“An act to amend chapter 251 of the Laws of 1896, entitled ‘An act for the protection of fur-bearing animals in the counties of Wayne, Jefferson and Cayuga.’” (No. 1660, Int. No. 1148.)

“An act to extend the time for the completion of the Hudson tunnel railway.” (No. 1780, Int. No. 1321.)

“An act to authorize the city of Cohoes to borrow money by the issue of bonds for the improvement of the water works and extension of the water mains in said city.” (No. 1812, Int. No. 1338.)

“An act to amend chapter 661 of the Laws of 1893, entitled ‘An act in relation to the public health, constituting chapter 25 of the general laws,’ relating to pharmacy, and to repeal sections 404 and 406a of the Penal Code.” (No. 1785, Int. No. 812.)

“An act to amend section 1771 of the Code of Civil Procedure.” (No. 1627, Int. No. 1264.)

“An act to amend the Tax Law, in relation to the transfer tax assistant district attorney.” (No. 1796, Int. No. 630.)

Senate, “An act to further amend chapter 203 of the Laws of 1881, as subsequently amended, entitled ‘An act to authorize the burial of the body of any honorably discharged soldier, sailor or marine who shall have hereafter died without leaving the means sufficient to defray funeral expenses ; and to provide for a headstone for any honorably discharged soldier, sailor or marine heretofore or hereafter buried in any of the counties of this State.’” (No. 250, Rec. No. 53.)

Senate, “An act releasing certain real estate of the German Reformed Protestant Dutch Church in The City of New York, from the taxes for the year 1897.” (No. 637, Rec. No. 167.)

Senate, “An act for the relief of the German Hospital Society of Brooklyn, New York.” (No. 870, Rec. No. 286.)

Senate, “An act to amend the Game Law, and the acts amendatory thereof, relating to the hunting and the killing of deer in the counties of Ulster, Greene, Delaware and Sullivan.” (No. 363, Rec. No. 97.)

Senate, “An act making an appropriation to compensate the stenographer to the commissioner appointed by the Governor of the State of New York on the 18th day of February, 1896, to inquire into the charges preferred against Edward J. H. Tamsen, as sheriff of the city and county of New York.” (No. 63, Rec. No. 35.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately.

Mr. Nixon introduced a bill entitled “An act to amend chapter 15

of the Laws of 1898, entitled 'An act to provide for the appointment of a canal investigating commission, and making an appropriation therefor, in relation to the report of such commission' " (Int. No. 1360), which was read the first time and referred to the committee on ways and means.

Mr. E. LaG. Smith introduced a bill entitled "An act to authorize the village of Newport to change its boundaries " (Int. No. 1361), which was read the first time and referred to the committee on affairs of villages.

Mr. Tripp introduced a bill entitled "An act authorizing the commissioners of the sinking fund of the city of Poughkeepsie to issue bonds at a reduced rate of interest in exchange for existing bonds heretofore issued by the city of Poughkeepsie" (Int. No. 1362), which was read the first time and referred to the committee on affairs of cities.

Mr. Williams introduced a bill entitled "An act permitting the Governor of this State to enter into a contract for the purchase for the use of the military forces of the State 15,000 rifles of modern pattern of the type recommended by the board of examiners appointed under chapter 600 of the Laws of 1895, and making an appropriation therefor" (Int. No. 1363), which was read the first time and referred to the committee on ways and means.

Also, a bill entitled "An act to authorize the treasurer of the State of New York to pay over certain moneys now on deposit with him to the treasurer of the Utica State Hospital" (Int. No. 1364), which was read the first time and referred to the committee on ways and means.

Mr. Aldridge introduced a bill entitled "An act to amend the Railroad Law, and acts amendatory thereof, in relation to motive power" (Int. No. 1365), which was read the first time and referred to the committee on railroads.

Mr. Stedman introduced a bill entitled "An act to amend section 1366 of the Code of Civil Procedure, relative to the general requisites of executions" (Int. No. 1366), which was read the first time and referred to the committee on codes.

Mr. Bondy introduced a bill entitled "An act to prevent evils and abuses in connection with the placing out of children" (Int. No. 1367), which was read the first time and referred to the committee on the judiciary.

Mr. Kavanaugh introduced a bill entitled "An act authorizing the continuance and maintenance of a dam in the southerly sprout of the Mohawk river, in the city of Cohoes, adjoining the lands of Edward N. Page" (Int. No. 1368), which was read the first time and referred to the committee on the judiciary.

Mr. Hatch introduced a bill entitled "An act to relieve Charles S. Harrison, who was elected a justice of the peace of the town of Woodhull, Steuben county, on the 22d day of February, 1898, from any liability or forfeiture by reason of failure to file a statement of election expenses within the time required by law" (Int. No. 1369), which was read the first time and referred to the committee on the judiciary.

The Senate sent for concurrence the following entitled bills :

"An act to confer upon the Hudson River Power Transportation Company the power to acquire rights of way in Saratoga and Schenectady counties, in certain instances" (No. 810, Rec. No. 321), which was read the first time and referred to the committee on the judiciary.

"An act authorizing the city of Schenectady to issue bonds to the amount of \$15,000, to raise money for school purposes" (No. 1038, Rec. No. 322), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Membership Corporations Law, in relation to the number of directors" (No. 1003, Rec. No. 323), which was read the first time and referred to the committee on the judiciary.

"An act in relation to certain lands owned by The City of New York in the borough of Brooklyn, known as the Wallabout lands, and the improvement, leasing and maintenance thereof" (No. 1057, Rec. No. 324), which was read the first time and referred to the committee on affairs of cities.

"An act to locate and establish the boundaries of union free school district No. 7 in the town of Cortlandt" (No. 1069, Rec. No. 325), which was read the first time and referred to the committee on public education.

"An act to amend section 3287 of the Code of Civil Procedure, relative to the taxing of fees by certain officers" (No. 1078, Int. No. 326), which was read the first time and referred to the committee on codes.

"An act for the relief of Mount Sinai Hospital of The City of New York, and to authorize the change of a lease from the mayor,

aldermen and commonalty of The City of New York to the Mount Sinai Hospital to a grant, and to authorize the sale or leasing of the said property by the Mount Sinai Hospital" (No. 1029, Rec. No. 327), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a City Court therein and define its jurisdiction and powers'" (No. 835, Rec. No. 329), which was read the first time and referred to the committee on affairs of cities.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Sarah M. Holcomb against the State for damages alleged to have been sustained by her, and to render judgment therefor" (No. 982, Rec. No. 330), which was read the first time and referred to the committee on claims.

"An act to incorporate union free school district No. 3, town of Orangetown, county of Rockland" (No. 1001, Rec. No. 331), which was read the first time and referred to the committee on public education.

"An act to authorize executors and trustees, subject to the approval of the Supreme Court, to acquire or exchange lands for the purpose of straightening or improving boundary lines of real property" (No. 1063, Rec. No. 333), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Consolidated School Law, and the acts amendatory thereof, relative to library books" (No. 1055, Rec. No. 334), which was read the first time and referred to the committee on public education.

"An act to amend section 9 of chapter 354 of the Laws of 1884, entitled 'An act to provide for the care, transportation and commitment and the payment therefor of lunatics, idiots, persons of unsound mind, deaf-mutes, orphans and paupers, the expense of whose maintenance and transportation is a charge upon the county of Albany, and to define the duties of the superintendent of the alms-house in the city of Albany'" (No. 943, Rec. No. 335), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to traffic in liquors, and for taxation and regulation

of the same, and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the laws of 1897" (No. 1027, Rec. No. 336), which was read the first time and referred to the committee on excise.

"An act for the relief of certain firemen in the city of Rochester" (No. 1031, Rec. No. 337), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' in relation to the salary of chamberlain" (No. 1041, Rec. No. 339), which was read the first time and referred to the committee on affairs of cities.

"An act to regulate the use of bicycles, and to prevent discrimination in ordinances affecting the same" (No. 1052, Rec. No. 338), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 568 of the Laws of 1895, entitled 'An act to incorporate the city of Johnstown'" (No. 1013, Rec. No. 341), which was read the first time and referred to the committee on affairs of cities.

"An act to release to Lucy Priest, widow of Charles N. Priest, and to Lucy Priest, widow of Colville G. Priest, all the right, title and interest of the people of the State of New York in and to certain real estate" (No. 955, Rec. No. 342), which was read the first time and referred to the committee on ways and means.

"An act in relation to Clinton avenue, in the borough of Brooklyn, in The City of New York" (No. 1081, Rec. No. 343), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 1027 of the Laws of 1895, entitled 'An act in relation to the issue of mileage books by railroad corporations'" (No. 1100, Rec. No. 344), which was read the first time and referred to the committee on railroads.

"An act to amend chapter 335 of the Laws of 1868, entitled 'An act to incorporate the city of Ogdensburg,' and the acts amending the same" (No. 1079, Rec. No. 346), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the Rensselaer Polytechnic institute to regulate and prescribe terms of admission to its courses of study and to

grant degrees and certificates" (No. 1048, Rec. No. 340), which was read the first time.

On motion of Mr. Hutton, and by unanimous consent said bill was made a special order on second and third reading for to-morrow next immediately after the reading of the journal.

"An act to authorize the board of trustees of the village of Mohawk, in the county of Herkimer, to issue bonds in payment of the existing indebtedness of said village" (No. 899, Rec. No. 345), which was read the first time.

On motion of Mr. E. LaG. Smith, and by unanimous consent said bill was made a special order on second and third reading for to-morrow next immediately after the reading of the journal.

"An act to amend chapter 754 of the Laws of 1857, entitled 'An act to amend an act passed May 2, 1834, incorporating the village of Camden, being chapter 242 of the Laws of 1834, entitled An act to incorporate the village of Camden, in the county of Oneida, as amended by chapter 54 of the Laws of 1864, and by chapter 498 of the Laws of 1871, and by chapter 375 of the Laws of 1890, and by chapter 13 of the Laws of 1898'" (No. 1070, Rec. No. 328), which was read the first time.

On motion of Mr. Mason, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Mason, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hoes	Mitchell	Schultz
Addis	Dillon	Hoffman	Mohring	Schulum
Adler	Donnelly	Holbert	Mullaay	Sears
Allds	Dutton	Hutton	Murphy	Seligberg

Armstrong	Eldridge	Ives	Murray	Simmons
Axtell	Ellis	Johnson	Myers J C	Sinsheimer
Baker	Farrell	Kavanaugh	Nixon	Stedman
Boland	Finn	Kelly	O'Connor	Stoneman
Bondy	Fish	Kelsey	Oliver	Streifler
Brennan EC	Fitzgerald	Kullman	Paris	Sullivan
Brennen J F	Fritz	Laimbeer	Patton	Taylor
Brown	Fuller	Litchard	Perkins	Ten Eyck
Burr	Gale	Mahar	Peterson	Tiffany
Chanler	Gibney	Maloney	Pickett	Trainor
Clark A L	Glaser	Marshall	Pierce	Tripp
Clark C J	Goodsell	Martin	Post	Van Rens'aer
Costello	Green	Mason	Raplee	Vincent
Cottle	Greenwood	Matteson	Redington	Wallace
Cowles	Guider	McEwan	Roche	Weekes
Crabtree	Hachemeis'r	McGuire	Russell	Whipple
Cross	Haight	McLaughlin	Sage	Williams
Cullen	Hanna	Meyer G W	Sanford	Witter
Dale	Hatch	Miles	Schmid A F	Zimmerman
DeGraw	Hays			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1633) entitled "An act to amend chapter 941 of the Laws of 1896, entitled 'An act to incorporate the Inter-State Mortgage Debenture Company,' and to repeal certain sections thereof." (Int. No. 1046.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Kavanaugh	Murphy	Smith E LaG
Addis	Dutton	Kelly	Murray	Streifler
Adler	Egan	Kelsey	Myers J C	Sullivan
Allds	Eldridge	Kullman	Nixon	Taylor

Armstrong	Ellis	Laimbeer	O'Connor	Ten Eyck
Axtell	Evarts	Litchard	Oliver	Tiffany
Baker	Farrell	Lowenthal	Perkins	Tompkins
Boland	Finn	Mahar	Peterson	Trainor
Bondy	Fish	Maloney	Phillips	Tremper
Brennan E C	Fitzgerald	Marshall	Pickett	Tripp
Brennen J F	Fordyce	Martin	Pierce	Van Hoesen
Brewster	Greenwood	Mason	Post	Van Rens'aer
Brown	Griggs	Matteson	Sanford	Vincent
Burr	Guider	McEwan	Schmid A F	Vroman
Cain	Hachemeis'r	McGuire	Schmid F	Wallace
Chanler	Haight	McKeown	Schultz	Weekes
Cross	Hanna	McLaughlin	Schulum	Weill
Cullen	Harburger	Meyer G W	Sears	Whipple
Dale	Hatch	Miles	Seligsberg	Wicke
Davis	Hays	Miller	Shoeneck	Williams
DeGraw	Hill	Mitchell	Simmons	Witter
Delaney	Holbert	Mohring	Sinsheimer	Wright
Dillon	Hubbard	Mullany	Sloan	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1634) entitled "An act to amend chapter 924 of the Laws of 1871, entitled 'An act to incorporate the United States Mortgage Company,' and the acts amendatory thereof, relating to the qualifications of directors." (Int. No. 1070.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Ellis	Hays	Miles	Stedman
Addis	Evarts	Hill	Miller	Stoneman
Adler	Farrell	Hoes	Mitchell	Streifler
Allds	Finn	Hoffman	Mohring	Sullivan

Armstrong	Fish	Holbert	Mullany	Taylor
Axtell	Fitzgerald	Hubbard	Murphy	Ten Eyck
Baker	Fordyce	Hutton	Murray	Tiffany
Boland	Fritz	Kullman	Myers J C	Tompkins
Bondy	Fuller	Laimbeer	Nixon	Trainor
Brennan E C	Gale	Litchard	O'Connor	Tremper
Brennen J F	Gallagher	Lowenthal	Oliver	Tripp
Brewster	Gibney	Mahar	Palmer	Van Hoesen
Brown	Graney	Maloney	Paris	Van Rens'aer
Burr	Green	Marshall	Patton	Vincent
Cain	Greenwood	Martin	Schultz	Weill
Chanler	Griggs	Mason	Sears	Whipple
Clark A L	Guider	Matteson	Seligsberg	Wicke
Clark C J	Hachemeis'r	McEwan	Shoeneck	Williams
Collins	Haight	McGuire	Simmons	Witter
Costello	Hanna	McKeown	Sinsheimer	Wright
Coughtry	Harburger	McLaughlin	Sloan	Zimmerman
Eldridge	Hatch	Meyer G W	Smith E La G	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1639) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws.'" (Int. No. 532.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cross	Hubbard	Nixon	Smith E La G
Addis	Cullen	Hutton	OConnor	Stedman
Adler	Dale	Ives	Oliver	Stoneman
Allds	Davis	Johnson	Palmer	Streifler
Armstrong	DeGraw	Kavanaugh	Paris	Sullivan
Axtell	Eldridge	Kelly	Patton	Taylor

Baker	Ellis	Kelsey	Perkins	Ten Eyck
Boland	Evarts	Kullman	Peterson	Tiffany
Bondy	Farrell	Laimbeer	Phillips	Tompkins
Brennan E C	Finn	Litchard	Pickett	Trainor
Brennen J F	Fish	Lowenthal	Raplee	Tremper
Brewster	Fitzgerald	McEwan	Redington	Tripp
Brown	Fordyce	McGuire	Reisert	Vincent
Burr	Fritz	McKeown	Roche	Vroman
Cain	Fuller	McLaughlin	Russell	Wallace
Chanler	Gale	Meyer G W	Sage	Weekes
Clark A L	Graney	Miles	Schultz	Weill
Clark C J	Green	Miller	Sears	Whipple
Collins	Greenwood	Mitchell	Seligsberg	Wicke
Costello	Griggs	Mohring	Shoeneck	Williams
Cottle	Guider	Mullany	Simmons	Witter
Coughtry	Hachemeis'r	Murphy	Sinsheimer	Wright
Cowles	Hoffman	Murray	Sloan	Zimmerman
Crabtree	Holbert	Myers J C		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1640) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' as amended by chapter 785 of the Laws of 1897, in relation to exempting land and building corporations whose capital is wholly invested in real estate within the State from taxation on their capital stock." (Int. No. 236.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
 { NOES 8 }

Thoses who voted in the affirmative, were

Ackert	Eldridge	Holbert	Mohring	Sinsheimer
Addis	Ellis	Hubbard	Mullany	Sloan
Adler	Evarts	Hutton	Murphy	Smith E LaG

Allds	Farrell	Ives	Murray	Stoneman
Armstrong	Finn	Johnson	Myers J C	Streifler
Baker	Fitzgerald	Kavanaugh	Nixon	Sullivan
Boland	Fordyce	Kelly	O'Connor	Taylor
Bondy	Fritz	Kelsey	Oliver	Ten Eyck
Brennan E C	Fuller	Kullman	Palmer	Tiffany
Brennen J F	Gale	Laimbeer	Redington	Tompkins
Brewster	Graney	Lowenthal	Reisert	Trainor
Brown	Green	Mahar	Roche	Tremper
Burr	Greenwood	Maloney	Russell	Tripp
Cain	Griggs	Marshall	Sage	Van Hoesen
Chanler	Guider	Martin	Sanford	Van Rens'aer
Cullen	Hachemeis'r	Mason	Schmid A F	Vincent
Dale	Haight	McEwan	Schmid F	Vroman
Davis	Hanna	McGuire	Schultz	Wallace
DeGraw	Harburger	McKeown	Schulum	Weekes
Delaney	Hatch	McLaughlin	Sears	Wicke
Dillon	Hays	Meyer G W	Seligsberg	Williams
Donnelly	Hill	Miles	Shoeneck	Wright
Dutton	Hoes	Miller	Simmons	Zimmerman
Egan	Hoffman	Mitchell		

Those who voted in the negative, were

Axtell	Clark C J	Litchard	Raplee	Witter
Clark A L	Fish	Matteson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1710) entitled "An act to amend the General Corporation Law, as amended by chapter 687 of the Laws of 1892, relating to certificate of authority of a foreign corporation." (Int. No. 672.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	115	}
{	NOES	1	}

Those who voted in the affirmative, were

Ackert	Crabtree	Hoes	Meyer G W	Sears
Addis	Cross	Hoffman	Miles	Seligberg
Adler	Cullen	Holbert	Miller	Shoenek
Allds	Dale	Hubbard	Mitchell	Simmons
Armstrong	Davis	Hutton	Mohring	Sinsheimer
Axtell	DeGraw	Ives	Mullany	Smith E LaG
Baker	Delaney	Johnson	Murphy	Tompkins
Boland	Dillon	Kavanaugh	Murray	Trainor
Bondy	Donnelly	Kelly	Myers J C	Tremper
Brennan E C	Dutton	Kelsey	Nixon	Tripp
Brennen J F	Egan	Kullman	O'Connor	Van Hoesen
Brewster	Eldridge	Laimbeer	Oliver	Van Rens'aer
Brown	Ellis	Litchard	Palmer	Vincent
Burr	Evarts	Lowenthal	Paris	Vroman
Cain	Farrell	Mahar	Patton	Wallace
Chanler	Guider	Maloney	Perkins	Weekes
Clark A L	Hachemeis'r	Marshall	Peterson	Weill
Clark C J	Haight	Martin	Phillips	Whipple
Collins	Hanna	Mason	Pickett	Wicke
Costello	Harburger	Matteson	Schmid A F	Williams
Cottle	Hatch	McEwan	Schmid F	Witter
Coughtry	Hays	McGuire	Schultz	Wright
Cowles	Hill	McKeown	Schulum	Zimmerman

In the negative,
Sloan

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Kelsey in the chair.

Mr. Speaker announced the special order, being the bill (No. 1712) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in The City of New York,' as amended by chapter 635 of the Laws of 1897, relative to engineers." (Int. No. 822.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 55 }
{ NOES 63 }

Those who voted in the affirmative, were

Addis	Cross	Hanna	McEwan	Schultz
Allds	Davis	Hill	McLaughlin	Simmons
Axtell	DeGraw	Holbert	Miles	Stedman
Bondy	Eldridge	Ives	Miller	Stoneman
Brennan E C	Ellis	Johnson	Murphy	Taylor
Brewster	Evarts	Kavanaugh	Nixon	Tiffany
Burr	Fish	Kelsey	Paris	Tripp
Clark A L	Fordyce	Lowenthal	Peterson	Vincent
Clark C J	Fuller	Martin	Pierce	Wallace
Cottle	Goodsell	Mason	Post	Whipple
Cowles	Greenwood	Matteson	Russell	Witter

Those who voted in the negative, were

Ackert	Dutton	Hoes	O'Connor	Schulum
Adler	Egan	Hoffman	Oliver	Sears
Armstrong	Farrell	Hubbard	Palmer	Sinsheimer
Boland	Fitzgerald	Hutton	Patton	Smith E LaG
Brennen J F	Fritz	Kelly	Phillips	Streifer
Brown	Gale	Kullman	Pickett	Sullivan
Cain	Gallagher	Mahar	Reisert	Trainor
Collins	Gibney	Maloney	Roche	Van Rens'aer
Costello	Graney	McGuire	Sage	Vroman
Cullen	Guider	Mitchell	Sanford	Weill
Dale	Hachemeis'r	Mohring	Schmid A F	Wicke
Dillon	Haight	Mullany	Schmid F	Wright
Donnelly	Harburger	Myers J C		

Mr. Lowenthal moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 1737) entitled "An act to prevent evils and abuses in connection with the placing out of children." (Int. No. 759.)

On motion of Mr. Bondy, said bill was laid aside and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 1789) entitled "An act to amend the Fisheries, Game and Forest Law, relative to fishing for, catching or killing black bass, Oswego bass, pickerel, pike or wall-eyed pike; close season." (Int. No. 1137.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hachemeis'r	Meyer G W	Sanford
Addis	Dale	Haight	Miles	Schmid F
Adler	Davis	Hanna	Miller	Schultz
Allds	Delaney	Harburger	Mitchell	Sears
Armstrong	Dillon	Hays	Mohring	Seligsberg
Axtell	Donnelly	Hill	Mullany	Sinsheimer
Baker	Dutton	Hoes	Murphy	Sloan
Boland	Egan	Hoffman	Murray	Stedman
Bondy	Eldridge	Hubbard	Myers J C	Stoneman
Brennan E C	Ellis	Hutton	Nixon	Streifler
Brennen J F	Evarts	Ives	Oliver	Taylor
Brewster	Farrell	Johnson	Palmer	Ten Eyck
Brown	Finn	Kelly	Paris	Tompkins
Burr	Fish	Kelsey	Patton	Trainor
Cain	Fordyce	Kullman	Perkins	Tripp
Chanler	Fritz	Litchard	Peterson	Van Hoesen
Clark A L	Fuller	Lowenthal	Phillips	Van Rens'aer
Clark C J	Gallagher	Mahar	Pierce	Vroman
Collins	Gibney	Maloney	Post	Wallace
Costello	Glaser	Marshall	Raplee	Weill
Cottle	Goodsell	Martin	Redington	Whipple
Coughtry	Graney	Matteson	Reisert	Williams
Cowles	Green	McEwan	Russell	Witter
Crabtree	Griggs	McGuire	Sage	Wright
Cross	Guider	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1591) entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' and the several acts amendatory thereof." (Int. No. 1217.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hill	Mitchell	Seligberg
Addis	Donnelly	Hoffman	Mullany	Simmons
Adler	Egan	Holbert	Murphy	Sloan
Allds	Eldridge	Hutton	Murray	Smith E LaG
Axtell	Ellis	Ives	Nixon	Stoneman
Baker	Evarts	Johnson	O'Connor	Sullivan
Bondy	Finn	Kavanaugh	Palmer	Ten Eyck
Brennen J F	Fish	Kelsey	Patton	Tiffany
Brewster	Fordyce	Kullman	Perkins	Trafnor
Burr	Fuller	Litchard	Phillips	Tremper
Chanler	Gale	Mahar	Pickett	Van Hoesen
Clark A L	Gallagher	Maloney	Post	Vincent
Collins	Goodsell	Marshall	Redington	Vroman
Costello	Graney	Martin	Reisert	Weekes
Coughtry	Greenwood	Matteson	Roche	Weill
Crabtree	Griggs	McEwan	Sage	Whipple
Cross	Hachemeis'r	McKeown	Schmid A F	Wicke
Cullen	Haight	McLaughlin	Schmid F	Witter
Davis	Harburger	Meyer G W	Schultz	Wright
DeGraw	Hays	Miller	Schulum	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1755) entitled "An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay,

North Hempstead and Hempstead, in the county of Queens" (Int. No. 810.)

Said bill having been announced for a third reading,

Mr. Oliver moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows :

Strike out the work "Nassau" wherever the same occurs, and insert the word "Lincoln."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 29 }
{ NOES 63 }

Those who voted in the affirmative, were

Boland	Donnelly	Hutton	Palmer	Streifler
Brennen J F	Egan	Kavanaugh	Roche	Van Hoesen
Chanler	Finn	Kullman	Sanford	Vroman
Coughtry	Glaser	Mahar	Schmid A F	Weill
Cross	Graney	Meyer G W	Schmid F	Wright
Dale	Hachemeis'r	Oliver	Sinsheimer	

Those who voted in the negative, were

Ackert	Costello	Hanna	Patton	Stoneman
Adler	Cottle	Hatch	Perkins	Ten Eyck
Allds	Cowles	Hoes	Peterson	Tiffany
Armstrong	Davis	Johnson	Phillips	Tremper
Axtell	DeGraw	Kelsey	Raplee	Tripp
Baker	Delaney	Litchard	Redington	Van Rens'aer
Bondy	Dutton	Lowenthal	Russell	Vincent
Brennan E C	Ellis	Maloney	Sears	Wallace
Brewster	Evarts	Martin	Schultz	Weekes
Burr	Fish	McLaughlin	Simmons	Whipple
Clark A L	Fuller	Miles	Smith E La G	Witter
Clark C J	Goodsell	Nixon	Stedman	Zimmerman
Collins	Greenwood	Paris		

Mr. Nixon moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ackert	Delaney	Hill	Murphy	Shoeneck
Adler	Dillon	Hoes	Murray	Simmons
Allds	Donnelly	Holbert	Myers J C	Sinsheimer
Armstrong	Dutton	Ives	Nixon	Sloan
Axtell	Egan	Johnson	Oliver	Smith E LaG
Boland	Eldridge	Kavanaugh	Palmer	Stedman
Bondy	Ellis	Kelly	Paris	Stoneman
Brennan E C	Evarts	Kelsey	Patton	Streifler
Brennen J F	Farrell	Kullman	Perkins	Taylor
Brewster	Finn	Laimbeer	Phillips	Ten Eyck
Brown	Fish	Litchard	Pickett	Tiffany
Burr	Fordyce	Lowenthal	Pierce	Tremper
Cain	Fuller	Mahar	Post	Tripp
Clark A L	Gallagher	Marshall	Raplee	Van Hoesen
Clark C J	Gibney	Martin	Redington	Van Rens'laer
Collins	Goodsell	Mason	Reisert	Vroman
Cottle	Graney	Matteson	Roche	Wallace
Coughtry	Green	McEwan	Russell	Weekes
Cowles	Greenwood	McGuire	Sanford	Weill
Crabtree	Guider	McLaughlin	Schmid A F	Whipple
Cross	Hachemeis'r	Meyer G W	Schmid F	Wicke
Cullen	Hanna	Miles	Schultz	Williams
Dale	Harburger	Miller	Schulum	Witter
Davis	Hatch	Mitchell	Sears	Wright
DeGraw	Hays	Mullany	Seligsberg	Zimmerman

129

Mr. Nixon moved that all further proceedings under the call of the House be suspended.

Mr. Speaker then put the question whether the House would agree to said motion and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 46 }

Those who voted in the affirmative, were

Adler	Davis	Holbert	Miller	Stedman
Allds	DeGraw	Ives	Murphy	Stoneman
Armstrong	Dutton	Johnson	Nixon	Taylor

Axtell	Eldridge	Kavanaugh	Paris	Ten Eyck
Baker	Ellis	Kelsey	Patton	Tiffany
Bondy	Evarts	Laimbeer	Perkins	Tremper
Brennan E C	Fish	Litchard	Peterson	Tripp
Brewster	Fordyce	Lowenthal	Pierce	Van Rens'aer
Burr	Fuller	Marshall	Post	Vincent
Clark A L	Goodsell	Martin	Raplee	Wallace
Clark C J	Greenwood	Mason	Russell	Weekes
Costello	Hanna	Matteson	Schultz	Whipple
Cottle	Hatch	McEwan	Sears	Williams
Coughtry	Hayes	McGuire	Simmons	Witter
Cowles	Hill	McLaughlin	Sloan	Zimmerman
Cross	Hoes	Miles	Smith E LaG	

Those who voted in the negative, were

Boland	Farrell	Harburger	Mullany	Sanford
Brennen J F	Finn	Hubbard	Murray	Schmid F
Cain	Fritz	Hutton	Myers J C	Shoeneck
Chanler	Gale	Kullman	Oliver	Sinsheimer
Collins	Gallagher	Mahar	Palmer	Streifler
Crabtree	Graney	Maloney	Phillips	Trainor
Cullen	Green	Meyer G W	Pickett	Van Hoesen
Dillon	Guider	Mitchell	Redington	Weill
Donnelly	Hachemeis'r	Mohring	Roche	Wicke
Egan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1562) entitled "An act to provide for the building of a dam across the Saranac river at Saranac lake, and making an appropriation therefor." (Int. No. 1203.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hubbard	Mullany	Seligsberg
Addis	Eldridge	Hutton	Murphy	Shoeneck
Adler	Evarts	Johnson	Murray	Simmons
Allds	Farrell	Kavanaugh	Myers J C	Sinsheimer
Armstrong	Fish	Kelly	Nixon	Sloan
Axtell	Fordyce	Kullman	O'Connor	Smith E LeG
Baker	Fritz	Laimbeer	Oliver	Stedman
Boland	Fuller	Litchard	Palmer	Stoneman
Bondy	Gale	Lowenthal	Paris	Sullivan
Brennen J F	Gallagher	Mahar	Patton	Taylor
Brewster	Gibney	Maloney	Perkins	Ten Eyck
Burr	Glaser	Marshall	Peterson	Tompkins
Cain	Goodsell	Martin	Phillips	Trainor
Clark A L	Graney	Mason	Pierce	Tripp
Clark C J	Greenwood	Matteson	Post	Van Hoesen
Costello	Griggs	McEwan	Raplee	Vincent
Cottle	Hachemeis'r	McGuire	Reisert	Vroman
Coughtry	Haight	McKeown	Roche	Wallace
Crabtree	Hanna	McLaughlin	Russell	Weill
Cross	Harburger	Meyer G W	Sage	Whipple
Cullen	Hatch	Miles	Sanford	Wicke
Davis	Hill	Miller	Schmid A F	Witter
Delaney	Hoes	Mitchell	Schulum	Wright
Dillon	Holbert	Mohring	Sears	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker resumed the chair.

Mr. Speaker announced the special order, being the bill (No. 1196) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of Thomas Gilgan against the State of New York." (Int. No. 556.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Post	Mohring	Seligsberg
Addis	Donnelly	Holbert	Mullany	Shoeneck
Adler	Dutton	Hubbard	Murphy	Simmons
Allds	Egan	Ives	Murray	Sinsheimer
Axtell	Eldridge	Kavanaugh	Myers J C	Sloan
Baker	Ellis	Kelly	Nixon	Stedman
Boland	Evarts	Kullman	O'Connor	Stoneman
Bondy	Farrell	Laimbeer	Oliver	Streifler
Brennen J F	Fish	Litchard	Palmer	Sullivan
Brewster	Fitzgerald	Lowenthal	Paris	Ten Eyck
Brown	Fordyce	Mahar	Perkins	Tompkins
Burr	Fritz	Maloney	Peterson	Trainor
Chanler	Gale	Marshall	Pickett	Tremper
Clark A L	Gallagher	Martin	Pierce	Tripp
Collins	Glaser	Mason	Raplee	Van Rens'aer
Costello	Goodsell	Matteson	Redington	Vincent
Coughtry	Green	McEwan	Roche	Wallace
Cowles	Greenwood	McGuire	Russell	Weekes
Crabtree	Guider	McKeown	Sage	Whipple
Cross	Hachemeis'r	McLaughlin	Sanford	Wicke
Cullen	Haight	Meyer G W	Schmid A F	Witter
Dale	Harburger	Miles	Schmid F	Wright
DeGraw	Hatch	Miller	Schultz	Zimmerman
Delaney	Hill	Mitchell	Schulum	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1545) entitled "An act to amend chapter 776 of the Laws of 1896, entitled 'An act to amend chapter 92 of the Laws of 1895, entitled An act to amend chapter 330 of the Laws of 1883, entitled An act to supply the city of Schenectady with water,' relative to the Schenectady water loan, and the several acts amendatory thereof." (Int. No. 1183.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hachemeis'r	McKeown	Schmid F
Addis	Dale	Haight	McLaughlin	Schultz
Adler	DeGraw	Hanna	Meyer G W	Sears
Allds	Delaney	Harburger	Miles	Seligsberg
Armstrong	Dillon	Hatch	Mitchell	Shoeneck
Axtell	Donnelly	Hill	Mohring	Simmons
Baker	Dutton	Hoes	Mullany	Sloan
Boland	Egan	Holbert	Murray	Stedman
Bondy	Ellis	Hubbard	Myers J C	Stoneman
Brennan EC	Evarts	Hutton	Nixon	Streifler
Brennen J F	Farrell	Ives	O'Connor	Taylor
Brewster	Finn	Johnson	Palmer	Ten Eyck
Burr	Fish	Kelly	Paris	Tompkins
Cain	Fitzgerald	Kelsey	Patton	Trainor
Clark A L	Fordyce	Kullman	Peterson	Tripp
Clark C J	Fritz	Litchard	Phillips	Van Hoesen
Collins	Gale	Lowenthal	Pierce	Vincent
Costello	Gallagher	Mahar	Post	Wallace
Cottle	Gibney	Maloney	Redington	Weekes
Coughtry	Goodsell	Marshall	Reisert	Whipple
Cowles	Graney	Martin	Russell	Williams
Crabtree	Green	Matteson	Sage	Witter
Cross	Griggs	McEwan	Schmid A F	Wright

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 631) entitled "An act to incorporate the New York Realty Bond, Exchange and Trust Company." (Rec. No. 170.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
 { NOES 33 }

Those who voted in the affirmative were

Ackert	Davis	Goodsell	Mohring	Schmid A F
Addis	DeGraw	Graney	Mullany	Schmid F
Adler	Dillon	Greenwood	Murray	Shoenek
Allds	Donnelly	Guider	Myers J C	Simmons
Armstrong	Dutton	Hays	Nixon	Smith E La G
Axtell	Egan	Hill	O'Connor	Stedman
Baker	Eldridge	Hoffman	Oliver	Stoneman
Boland	Ellis	Ives	Patton	Sullivan
Bondy	Farrell	Johnson	Perkins	Trainor
Brennan E C	Finn	Kavanaugh	Peterson	Tremper
Brennen J F	Fitzgerald	Kelsey	Phillips	Tripp
Burr	Fordyce	Kullman	Pierce	Van Rens'aer
Cain	Fritz	Lowenthal	Post	Vincent
Collins	Fuller	Marshall	Raplee	Wallace
Coughtry	Gale	Mason	Roche	Whipple
Crabtree	Gallagher	McKeown	Russell	Witter
Cross	Gibney	McLaughlin	Sanford	Zimmerman
Cullen				

Those who voted in the negative, were

Brewster	Evarts	Maloney	Seligsberg	Tompkins
Chanler	Fish	Martin	Sinsheimer	Van Hoesen
Clark A L	Green	Matteson	Sloan	Weekes
Clark C J	Griggs	Meyer G W	Streifler	Weill
Costello	Haight	Palmer	Ten Eyck	Wicke
Cottle	Laimbeer	Reisert	Tiffany	Wright
Delaney	Mahar	Sage		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Davis offered the following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 824) entitled "An act to regulate telephone charges in the State of New York, to empower certain State officers to revise and regulate the same, and to appropriate money from the treasury of the State to pay the salary of a secretary and his necessary permanent office expenses" (Int. No. 730), and that the same be placed on the order of second and third reading.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Davis, and it was determined in the negative, two-thirds of all the members elected to the Assembly, not voting in favor thereof, as follows:

{ AYES 79 }
{ NOES 55 }

Those who voted in the affirmative, were

Ackert	Dillon	Hubbard	Myers J C	Schultz
Adler	Donnelly	Hutton	O'Connor	Schulum
Boland	Egan	Kullman	Oliver	Seligsberg
Brennan E C	Evarts	Laimbeer	Palmer	Shoeneck
Brennen J F	Farrell	Lowenthal	Patton	Sinsheimer
Brown	Finn	Mahar	Perkins	Smith E LaG
Burr	Fitzgerald	Maloney	Phillips	Streifler
Chanler	Gallagher	Marshall	Pickett	Tiffany
Clark C J	Glaser	Martin	Raplee	Tompkins
Collins	Graney	McGuire	Redington	Van Hoesen
Cottle	Green	Meyer G W	Reisert	Vroman
Crabtree	Griggs	Miller	Roche	Weekes
Cullen	Hachemeis'r	Mitchell	Sage	Weill
Dale	Haight	Mohring	Sanford	Wicke
Davis	Harburger	Mullany	Schmid A F	Wright
DeGraw	Hill	Murray	Schmid F	

Those who voted in the negative, were

Allds	Delaney	Hatch	McEwan	Stedman
Armstrong	Dutton	Hays	Miles	Taylor
Axtell	Eldridge	Hoes	Murphy	Ten Eyck
Baker	Ellis	Holbert	Nixon	Tremper
Bondy	Fish	Ives	Paris	Tripp
Brewster	Fordyce	Johnson	Pierce	Van Rens'aer
Clark A L	Fritz	Kavanaugh	Post	Vincent
Costello	Fuller	Kelsey	Russell	Wallace
Coughtry	Goodsell	Litchard	Sears	Whipple
Cowles	Greenwood	Mason	Simmons	Witter
Cross	Hanna	Matteson	Sloan	Zimmerman

Mr. Speaker announced the special order, being the bill (No. 1532) entitled "An act to amend chapter 583 of the Laws of 1888,

entitled 'An act to revise and combine in a single act all existing special and local laws affecting public interests in the city of Brooklyn in relation to the department of public buildings,' passed May 4, 1894, and the act amendatory of sections 1, 6, 7, 10, 13, 22, and 57 thereof, passed April 11, 1895, and the act amendatory of sections 24, 46, 55 and 57 thereof, passed May 3, 1895, and the act amendatory of section 24 thereof, passed May 13, 1896, and the act amendatory of section 55 thereof, passed April 21, 1896." (Int. No. 1157.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Kelly	Nixon	Sinsheimer
Addis	Eldridge	Kullman	Oliver	Sloan
Adler	Ellis	Laimbeer	Palmer	Stedman
Allds	Farrell	Litchard	Paris	Stoneman
Armstrong	Fish	Lowenthal	Patton	Sullivan
Baker	Fordyce	Mahar	Perkins	Taylor
Boland	Fritz	Maloney	Peterson	Ten Eyck
Bondy	Gale	Marshall	Phillips	Tiffany
Brennen J F	Gallagher	Martin	Pickett	Tompkins
Brewster	Glaser	Mason	Pierce	Trainor
Burr	Graney	Matteson	Post	Tremper
Cain	Greenwood	McEwan	Raplee	Tripp
Clark A L	Guider	McGuire	Redington	Van Hoesen
Clark C J	Hachemeis'r	McKeown	Roche	Van Rens'aer
Costello	Hanna	Meyer G W	Russell	Vincent
Cottle	Harburger	Miles	Sage	Wallace
Coughtry	Hatch	Miller	Sanford	Vroman
Crabtree	Hill	Mitchell	Schmid F	Weekes
Cullen	Hoes	Mohring	Schultz	Weill
Dale	Hoffman	Mullany	Schulum	Wicke
Davis	Holbert	Murphy	Sears	Williams

DeGraw	Hubbard	Murray	Seligberg	Witter
Delaney	Johnson	Myers J C	Simmons	Zimmerman
Donnelly	Kavanaugh			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1759) entitled "An act to amend the Penal Code by inserting therein a new section, to be known as section 619a, relative to the issuing and use of transfer tickets upon street surface railroads." (Int. No. 523.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	82	}
{	NOES	23	}

Those who voted in the affirmative, were

Ackert	Coughtry	Fuller	Martin	Sanford
Addis	Cowles	Gale	Mason	Sears
Adler	Cross	Goodsell	Matteson	Simmons
Armstrong	Cullen	Greenwood	McEwan	Sloan
Axtell	Dale	Hatch	Meyer G W	Stedman
Baker	DeGraw	Hays	Miles	Stoneman
Bondy	Dillon	Hoes	Murphy	Taylor
Brennan E C	Donnelly	Holbert	Nixon	Trainor
Brennen J F	Egan	Hutton	Oliver	Tremper
Brown	Eldridge	Ives	Paris	Tripp
Burr	Evarts	Johnson	Peterson	Van Rens'aer
Cain	Farrell	Kelly	Pierce	Vincent
Clark A L	Finn	Kelsey	Post	Wallace
Clark C J	Fish	Litchard	Reisert	Whipple
Collins	Fitzgerald	Lowenthal	Roche	Witter
Costello	Fordyce	Marshall	Sage	Zimmerman
Cottle	Fritz			

Those who voted in the negative, were

Delaney	Mahar	Palmer	Schmid F	Tiffany
Green	Maloney	Patton	Seligberg	Weill
Haight	McGuire	Pickett	Sinsheimer	Wicke

Hubbard	Mitchell	Raplee	Streifler	Wright
Laimbeer	Mohring	Schmid A F		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1400) entitled "An act to repeal chapter 200 of the Laws of 1890, entitled 'An act in relation to the burial or other disposition of dead bodies in the town of Newtown, in the county of Queens.'" (Int. No. 1136.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	118	}
{	NOES	00	}

Those who voted in the affirmative, were

Ackert	Dillon	Harburger	Miles	Schmid F
Addis	Donnelly	Hatch	Miller	Schulum
Adler	Dutton	Hays	Mohring	Sears
Allds	Egan	Hill	Mullany	Shoeneck
Armstrong	Eldridge	Hoes	Murray	Simmons
Axtell	Evarts	Holbert	Myers J C	Sloan
Baker	Farrell	Hubbard	Nixon	Smith E La G
Boland	Finn	Ives	O'Connor	Stedman
Bondy	Fish	Johnson	Oliver	Stoneman
Brennan E C	Fordyce	Kavanaugh	Palmer	Sullivan
Brennen J F	Fritz	Kelsey	Paris	Taylor
Brown	Fuller	Kullman	Perkins	Ten Eyck
Cain	Gale	Laimbeer	Peterson	Tompkins
Chanler	Gallagher	Litchard	Phillips	Trainor
Clark A L	Gibney	Lowenthal	Pierce	Tripp
Clark C J	Glaser	Mahar	Post	Van Hoesen
Costello	Goodsell	Maloney	Raplee	Vincent
Cottle	Graney	Marshall	Redington	Vroman
Coughtry	Green	Martin	Reisert	Weekes
Cowles	Greenwood	Mason	Roche	Weill
Cross	Griggs	Matteson	Russell	Wicke

Dale	Guider	McEwan	Sage	Witter
DeGraw	Hachemeis'r	McKeown	Sanford	Wright
Delaney	Haight	Meyer G W		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Speaker announced the special order, being the bill (No. 1561) entitled "An act changing the name of the Agricultural and Liberal Arts Society of Rensselaer county to the Rensselaer County Agricultural Society and Exposition." (Int. No. 1203.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mitchell	Schulum
Addis	Dillon	Hays	Mohring	Sears
Adler	Donnelly	Hill	Murphy	Seligsberg
Allds	Egan	Hoes	Murray	Simmons
Axtell	Eldridge	Holbert	Myers J C	Sinsheimer
Baker	Ellis	Hutton	Nixon	Smith E LaG
Boland	Farrell	Ives	Oliver	Stedman
Bondy	Finn	Johnson	Palmer	Stoneman
Brennan E C	Fitzgerald	Kavanaugh	Paris	Streifler
Brennen J F	Fordyce	Kelsey	Patton	Sullivan
Brown	Fritz	Kullman	Perkins	Ten Eyck
Cain	Fuller	Laimbeer	Peterson	Tiffany
Chanler	Gale	Lowenthal	Phillips	Trainor
Clark A L	Gallagher	Mahar	Pickett	Tremper
Collins	Gibney	Maloney	Pierce	Van Hoesen
Costello	Glaser	Marshall	Raplee	Van Rens'aer
Cottle	Goodsell	Martin	Redington	Vroman
Coughtry	Graney	Mason	Reisert	Wallace
Cowles	Green	McEwan	Russell	Weill
Crabtree	Griggs	McGuire	Sage	Wicke
Cullen	Guider	McLaughlin	Sanford	Witter
Dale	Hachemeis'r	Meyer G W	Schmid F	Wright
Davis	Hanna	Miles	Schultz	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1644) entitled "An act to amend the Highway Law, in relation to serving notice of meeting of commissioners to determine the necessity for laying out highways and assess damages." (Int. No. 1228.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hanna	Meyer G W	Schulum
Addis	Dale	Harburger	Miller	Sears
Adler	Davis	Hatch	Mitchell	Shoeneck
Allds	DeGraw	Hill	Mohring	Simmons
Axtell	Dillon	Hoffman	Murphy	Sloan
Baker	Donnelly	Holbert	Murray	Stedman
Boland	Dutton	Hutton	Myers J C	Stoneman
Bondy	Eldridge	Ives	Nixon	Streifler
Brennan E C	Ellis	Kavanaugh	Oliver	Taylor
Brennen J F	Evarts	Kelly	Palmer	Ten Eyck
Brewster	Farrell	Kelsey	Patton	Tiffany
Brown	Finn	Kullman	Perkins	Trainor
Burr	Fish	Laimbeer	Peterson	Tremper
Cain	Fitzgerald	Lowenthal	Phillips	Van Hoesen
Chanler	Fordyce	Mahar	Pickett	Van Rens'aer
Clark A L	Gale	Maloney	Pierce	Vroman
Clark C J	Gallagher	Marshall	Post	Wallace
Collins	Gibney	Martin	Reisert	Weill
Costello	Goodsell	Mason	Roche	Whipple
Cottle	Graney	Matteson	Sage	Williams
Cowles	Greenwood	McGuire	Schmid A F	Witter
Crabtree	Guider	McLaughlin	Schultz	Wright
Cross	Hachemeis'r			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 531) entitled "An act to provide for procuring and distributing game birds." (Int. No. 804.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mitchell	Seligsberg
Addis	Dillon	Hatch	Mullany	Shoeneck
Adler	Donnelly	Hill	Murphy	Simmons
Allds	Dutton	Hoes	Myers J. C	Sloan
Armstrong	Egan	Hoffman	Nixon	Smith E LaG
Baker	Eldridge	Holbert	O'Connor	Stedman
Boland	Evarts	Hutton	Oliver	Stoneman
Bondy	Farrell	Ives	Palmer	Sullivan
Brennen J F	Finn	Kavanaugh	Patton	Ten Eyck
Brewster	Fitzgerald	Kelly	Perkins	Tiffany
Brown	Fordyce	Kelsey	Phillips	Trainor
Cain	Fuller	Laimbeer	Pickett	Tremper
Chanler	Gale	Litchard	Pierce	Tripp
Clark C J	Gallagher	Lowenthal	Post	Van Hoesen
Collins	Gibney	Mahar	Redington	Vincent
Costello	Glaser	Maloney	Reisert	Vroman
Cottle	Goodsell	Marshall	Roche	Weekes
Coughtry	Graney	Martin	Russell	Weill
Cowles	Griggs	Mason	Sanford	Wicke
Crabtree	Greenwood	McEwan	Schmid A F	Williams
Cullen	Guider	McGuire	Schmid F	Witter
Dale	Hachemeis'r	McLaughlin	Schultz	Zimmerman
DeGraw	Haight	Meyer G W	Schulum	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1449) entitled "An act declaratory of the application of section 504 of chapter 105 of the Laws of 1891." (Int. No. 1115.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hays	Mohring	Schulum
Addis	Dillon	Hill	Mullany	Sears
Adler	Donnelly	Hoes	Murphy	Seligsberg
Allds	Dutton	Hoffman	Murray	Simmons
Armstrong	Egan	Hubbard	Myers J C	Sloan
Baker	Eldridge	Hutton	Nixon	Stedman
Boland	Ellis	Ives	O'Connor	Stoneman
Bondy	Evarts	Johnson	Oliver	Streifler
Brennan E C	Farrell	Kelly	Palmer	Sullivan
Brennen J F	Finn	Kelsey	Paris	Taylor
Brown	Fish	Kullman	Patton	Ten Eyck
Burr	Fordyce	Laimbeer	Perkins	Tiffany
Cain	Fritz	Litchard	Peterson	Tompkins
Chanler	Fuller	Mahar	Phillips	Trainor
Clark C J	Gale	Maloney	Pickett	Tremper
Collins	Gallagher	Marshall	Pierce	Tripp
Costello	Gibney	Martin	Post	Van Hoesen
Cottle	Glaser	Mason	Raplee	Van Rens'aer
Coughtry	Goodsell	Matteson	Redington	Vincent
Cowles	Graney	McEwan	Reisert	Vroman
Crabtree	Griggs	McKeown	Russell	Wallace
Cross	Guider	McLaughlin	Sage	Weekes
Cullen	Hachemeis'r	Meyer G W	Sanford	Weill
Dale	Haight	Miles	Schmid A F	Wicke
Davis	Hanna	Miller	Schmid F	Witter
DeGraw	Hatch	Mitchell	Schultz	Wright

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1471) entitled "An act to amend the law relating to unclaimed freight and baggage." (Int. No. 1158.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hays	Mitchell	Sears
Addis	DeGraw	Hoes	Mohring	Seligsberg
Adler	Delaney	Hoffman	Mullany	Simmons
Allds	Dillon	Holbert	Murphy	Sinsheimer
Armstrong	Donnelly	Hubbard	Murray	Smith E LaG
Axtell	Dutton	Hutton	Myers J C	Stedman
Baker	Egan	Ives	Nixon	Stoneman
Boland	Eldridge	Johnson	O'Connor	Streifler
Bondy	Ellis	Kelly	Oliver	Sullivan
Brennan E C	Farrell	Kelsey	Palmer	Ten Eyck
Brennen J F	Finn	Kullman	Patton	Tiffany
Brewster	Fitzgerald	Litchard	Perkins	Tompkins
Brown	Fordyce	Lowenthal	Peterson	Trainor
Burr	Fritz	Mahar	Phillips	Tremper
Cain	Gale	Maloney	Pickett	Van Hoesen
Clark A L	Gallagher	Marshall	Post	Van Rens'aer
Clark C J	Glaser	Martin	Raplee	Vincent
Collins	Graney	Mason	Reisert	Vroman
Costello	Green	Matteson	Roche	Weekes
Cottle	Greenwood	McEwan	Russell	Weill
Coughtry	Griggs	McGuire	Sage	Whipple
Cowles	Guider	McKeown	Sanford	Williams
Crabtree	Haight	McLaughlin	Schmid A F	Witter
Cross	Hanna	Meyer G W	Schmid F	Wright
Cullen	Harburger	Miles	Schultz	Zimmerman
Dale	Hatch	Miller	Schulum	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 993) entitled "An act to amend the Banking Law, in relation to the investment of the deposits and income of the building and loan associations." (Int. No. 849.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
 { NOES 00 }

Those who voted in the affirmative, were

Addis	Dale	Hachemeis'r	Miles	Schulum
Adler	Davis	Haight	Miller	Seligsberg
Allds	Delaney	Hanna	Mitchell	Shoeneck
Armstrong	Dillon	Harburger	Mohring	Simmons
Axtell	Donnelly	Hays	Mullany	Sinsheimer
Baker	Dutton	Hill	Murphy	Sloan
Boland	Egan	Hoffman	Murray	Smith E LaG
Bondy	Eldridge	Holbert	Nixon	Streifler
Brennan E C	Evarts	Hubbard	O'Connor	Sullivan
Brennen J F	Farrell	Hutton	Oliver	Taylor
Brewster	Fish	Ives	Palmer	Tiffany
Brown	Fitzgerald	Kavanaugh	Patton	Tompkins
Burr	Fordyce	Kelly	Perkins	Trainor
Cain	Fuller	Kullman	Phillips	Tripp
Chanler	Fritz	Laimbeer	Pierce	Van Hoesen
Clark A L	Gale	Litchard	Post	Van Rens'aer
Clark C J	Gallagher	Mahar	Raplee	Vroman
Collins	Gibney	Maloney	Redington	Weekes
Costello	Glaser	Marshall	Reisert	Weill
Cottle	Goodsell	Martin	Roche	Whipple
Coughtry	Graney	Mason	Russell	Wicke
Cowles	Green	McEwan	Sanford	Williams
Crabtree	Greenwood	McGuire	Schmid A F	Witter
Cross	Griggs	McKeown	Schmid F	Wright
Cullen	Guider	Meyer G W	Schultz	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 895) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' and the acts amendatory thereof, in relation to the powers of the board of trustees." (Rec. No. 263.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Harburger	Miller	Seligberg
Addis	Dutton	Hatch	Mitchell	Shoeneck
Adler	Egan	Hays	Mohring	Simmons
Allds	Eldridge	Hoes	Murphy	Sinsheimer
Armstrong	Ellis	Hoffman	Murray	Smith E LaG
Axtell	Evarts	Hubbard	Myers J C	Stedman
Baker	Farrell	Hutton	Nixon	Stoneman
Boland	Finn	Ives	O'Connor	Streifler
Brennan E C	Fish	Kavanaugh	Oliver	Sullivan
Brennen J F	Fordyce	Kelly	Palmer	Ten Eyck
Brewster	Fritz	Kelsey	Paris	Tiffany
Burr	Fuller	Kullman	Patton	Tompkins
Cain	Gale	Laimbeer	Peterson	Trainor
Clark A L	Gallagher	Lowenthal	Phillips	Van Hoesen
Clark C J	Gibney	Mahar	Pickett	Van Rens'aer
Collins	Glaser	Maloney	Post	Vincent
Costello	Goodsell	Marshall	Raplee	Vroman
Cottle	Graney	Martin	Reisert	Wallace
Coughtry	Green	Mason	Roche	Weekes
Cowles	Greenwood	Matteson	Russell	Weill
Cross	Griggs	McEwan	Sage	Whipple
Cullen	Guider	McGuire	Schmid A F	Williams
Dale	Hachemeis'r	McLaughlin	Schmid F	Witter
Davis	Haight	Meyer G W	Schulum	Wright
Delaney	Hanna	Miles		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1448) entitled "An act to amend section 68 of article 2 of chapter

414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws.' (Int. No. 1114.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Mullany	Shoeneck
Addis	Donnelly	Hill	Murphy	Simmons
Adler	Dutton	Hoes	Myers J C	Sinsheimer
Allds	Egan	Hoffman	Nixon	Sloan
Armstrong	Eldridge	Hubbard	O'Connor	Smith E LaG
Axtell	Ellis	Hutton	Oliver	Stedman
Baker	Evarts	Johnson	Paris	Stoneman
Boland	Finn	Kavanaugh	Patton	Streifler
Bondy	Fish	Kelsey	Perkins	Sullivan
Brennen J F	Fitzgerald	Kullman	Peterson	Taylor
Brewster	Fordyce	Laimbeer	Phillips	Tiffany
Burr	Fritz	Litchard	Pickett	Tompkins
Cain	Gale	Mahar	Pierce	Trainor
Chanler	Gallagher	Maloney	Post	Tremper
Clark A L	Gibney	Marshall	Raplee	Tripp
Clark C J	Glaser	Martin	Redington	Van Hoesen
Collins	Goodsell	Mason	Reisert	Van Rens'aer
Cottle	Green	McEwan	Roche	Vroman
Coughtry	Greenwood	McGuire	Russell	Wallace
Cowles	Griggs	McKeown	Sage	Weekes
Cross	Guider	McLaughlin	Sanford	Weill
Cullen	Hachemeis'r	Meyer G W	Schmid F	Wicke
Dale	Haight	Miller	Schultz	Williams
Davis	Harburger	Mitchell	Schulum	Witter
DeGraw	Hatch	Mohring	Sears	Wright
Delaney				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1540) entitled "An act to amend chapter 33 of the Laws of 1898, entitled 'An act to amend chapter 370 of the Laws of 1897, entitled An act to revise, amend and consolidate the several acts relating to the village of Lancaster and to repeal all acts and parts of acts relating thereto.'" (Int. No. 1178.)

Said bill having been announced for a third reading,

On motion of Mr. Patton, said bill was laid aside, retaining its place on the order of third reading.

Mr. Speaker announced the special order, being the bill (No. 1546) entitled "An act to authorize the board of trustees of the village of Mohawk, in the county of Herkimer, to issue bonds in payment of the existing indebtedness of said village." (Int. No. 1184.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hatch	Mohring	Sinsheimer
Addis	Delaney	Hill	Mullany	Sloan
Adler	Dillon	Hoes	Murphy	Smith E La G
Allds	Donnelly	Hoffman	Myers J C	Stedman
Armstrong	Egan	Hubbard	Nixon	Stoneman
Baker	Eldridge	Hutton	Oliver	Streifler
Boland	Ellis	Ives	Paris	Sullivan
Bondy	Farrell	Johnson	Patton	Ten Eyck
Brennan E C	Finn	Kavanaugh	Peterson	Tiffany
Brennen J F	Fish	Kelly	Pickett	Tompkins
Brewster	Fordyce	Kelsey	Pierce	Tremper
Burr	Fuller	Kullman	Post	Tripp
Cain	Gale	Litchard	Redington	Van Hoesen
Chanler	Gallagher	Lowenthal	Reisert	Van Rens'aer
Clark A L	Gibney	Mahar	Roche	Vroman
Clark C J	Glaser	Maloney	Russell	Wallace
Collins	Goodsell	Marshall	Sanford	Weekes

Costello	Graney	Martin	Schmid A F	Weill
Cottle	Greenwood	Matteson	Schultz	Wicke
Coughtry	Griggs	McEwan	Schulum	Williams
Crabtree	Guider	McGuire	Sears	Witter
Cross	Haight	Meyer G W	Seligsberg	Wright
Cullen	Hanna	Miles	Shoeneck	Zimmerman
Davis	Harburger	Miller	Simmons	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1029) entitled "An act to confirm and legalize certain concurrent resolutions for printing passed by the Legislature of 1896 and 1897, and certain printing ordered pursuant to the rules of the Senate and Assembly respectively during the session of 1896, and for extra copies furnished for the use of the Legislature of 1896 and 1897." (Int. No. 889.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 118
 } NOES 00

Those who voted in the affirmative, were

Ackert	Dale	Hanna	Miles	Seligsberg
Addis	Davis	Hatch	Mitchell	Shoeneck
Adler	DeGraw	Hays	Mohring	Simmons
Allds	Delaney	Hoes	Mullany	Sinsheimer
Armstrong	Donnelly	Holbert	Murphy	Sloan
Axtell	Dutton	Hubbard	Murray	Stedman
Baker	Egan	Ives	Nixon	Stoneman
Boland	Eldridge	Johnson	O'Connor	Streifler
Bondy	Ellis	Kavanaugh	Oliver	Taylor
Brennen J F	Farrell	Kelsey	Palmer	Ten Eyck
Brewster	Finn	Laimbeer	Paris	Tiffany
Brown	Fish	Litchard	Perkins	Tompkins
Burr	Fordyce	Lowenthal	Peterson	Trainor
Cain	Fritz	Mahar	Pickett	Tripp

Chanler	Fuller	Maloney	Pierce	Van Hoesen
Clark A L	Gale	Marshall	Raplee	Vincent
Clark C J	Gallagher	Martin	Redington	Vroman
Collins	Glaser	Mason	Roche	Weekes
Costello	Goodsell	Matteson	Russell	Weill
Cottle	Green	McEwan	Sage	Whipple
Coughtry	Greenwood	McGuire	Sanford	Williams
Cowles	Griggs	McKeown	Schmid F	Witter
Cross	Guider	McLaughlin	Schulum	Zimmerman
Cullen	Haight	Meyer G W		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1536) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Alabama, in the county of Genesee, against the State for damages alleged to have been sustained by said town, and render judgment therefor." (Int. No. 1174.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	Mitchell	Simmons
Addis	Delaney	Hays	Mullany	Sinsheimer
Adler	Dillon	Hill	Murphy	Sloan
Allds	Donnelly	Hoes	Murray	Stedman
Armstrong	Dutton	Holbert	Myers J C	Stoneman
Axtell	Egan	Hubbard	Nixon	Streifler
Baker	Ellis	Hutton	O'Connor	Sullivan
Boland	Evarts	Ives	Palmer	Taylor
Bondy	Farrell	Kavanaugh	Paris	Ten Eyck
Brennan E C	Finn	Kelly	Peterson	Tiffany
Brennen J F	Fish	Kelsey	Phillips	Trainor
Brewster	Fitzgerald	Laimbeer	Pickett	Tremper
Brown	Fordyce	Litchard	Post	Tripp

Burr	Fritz	Mahar	Raplee	Van Hoesen
Cain	Fuller	Maloney	Redington	Van Rens'aer
Chanler	Gale	Marshall	Reisert	Vincent
Clark A L	Gallagher	Martin	Russell	Vroman
Clark C J	Glaser	Mason	Sage	Wallace
Collins	Goodsell	Matteson	Sanford	Weekes
Costello	Graney	McEwan	Schmid A F	Weill
Cottle	Greenwood	McGuire	Schultz	Whipple
Coughtry	Griggs	McKeown	Schulum	Wicke
Cowles	Hachemeis'r	McLaughlin	Sears	Williams
Crabtree	Haight	Miles	Seligsberg	Wright
Cross	Hanna	Miller	Shoeneck	Zimmerman
Dale				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 695) entitled "An act to authorize the Comptroller of this State to hear and determine the application of the owners of certain lands in Kings county for cancellation of a tax sale and allowing redemption from subsequent tax sales upon paying the amount charged against the same." (Int No. 623.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hoffman	Mohring	Sears
Addis	Donnelly	Holbert	Mullany	Seligsberg
Adler	Dutton	Hubbard	Murphy	Simmons
Allds	Egan	Ives	Murray	Sinsheimer
Armstrong	Eldridge	Johnson	Myers J C	Sloan
Axtell	Ellis	Kavanaugh	Nixon	Stedman
Baker	Evarts	Kelly	O'Connor	Stoneman
Boland	Farrell	Kelsey	Oliver	Streifler
Bondy	Fish	Laimbeer	Palmer	Sullivan

Brennan EC	Fordyce	Litchard	Paris	Taylor
Brewster	Fritz	Lowenthal	Patton	Ten Eyck
Brown	Fuller	Mahar	Perkins	Tompkins
Burr	Gale	Maloney	Phillips	Trainor
Cain	Gibney	Marshall	Pickett	Tripp
Clark A L	Goodsell	Martin	Pierce	Van Rens'aer
Clark C J	Graney	Mason	Post	Vincent
Collins	Green	Matteson	Raplee	Vroman
Cottle	Greenwood	McEwan	Reisert	Wallace
Coughtry	Griggs	McGuire	Roche	Weekes
Cowles	Guider	McKeown	Russell	Weill
Crabtree	Hachemeis'r	McLaughlin	Sage	Whipple
Cross	Haight	Meyer G W	Sanford	Wicke
Cullen	Harburger	Miles	Schmid F	Witter
Dale	Hatch	Miller	Schultz	Wright
DeGraw	Hays	Mitchell	Schulum	Zimmerman
Delaney	Hill			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1567) entitled "An act to amend the County Law, relating to the designation of newspapers for publication of session laws." (Int. No. 1208.)

Said bill was read the third time having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hays	Miller	Sears
Addis	Dutton	Hill	Mohring	Seligberg
Adler	Egan	Hoes	Murphy	Shoeneck
Allds	Eldridge	Hoffman	Murray	Sinsheimer
Armstrong	Evarts	Holbert	Myers J C	Sloan
Axtell	Farrell	Hubbard	Nixon	Stedman
Baker	Finn	Hutton	O'Connor	Stoneman
Boland	Fish	Ives	Oliver	Streifler
Bondy	Fitzgerald	Johnson	Palmer	Sullivan

Brennan EC	Fordyce	Kavanaugh	Paris	Taylor
Brennen J F	Fuller	Kelly	Patton	Ten Eyck
Brewster	Gale	Kelsey	Perkins	Tiffany
Brown	Gallagher	Kullman	Phillips	Tompkins
Cain	Gibney	Laimbeer	Pickett	Tremper
Chanler	Glaser	Litchard	Pierce	Tripp
Clark C J	Goodsell	Mahar	Post	Van Hoesen
Collins	Graney	Maloney	Raplee	Vincent
Costello	Green	Marshall	Redington	Vroman
Cottle	Greenwood	Martin	Reisert	Wallace
Cowles	Griggs	Mason	Sage	Weill
Cross	Guider	Matteson	Sanford	Whipple
Cullen	Hachemeis'r	McEwan	Schmid A F	Wicke
Davis	Haight	McGuire	Schmid F	Witter
DeGraw	Hanna	McLaughlin	Schultz	Wright
Delaney	Harburger	Meyer G W	Schulum	Zimmerman
Dillon	Hatch	Miles		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Speaker announced the special order, being the bill (No. 1542) entitled "An act to amend the Railroad Law." (Int. No. 1180.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 2 }

Those who voted in the affirmative, were

Ackert	Delaney	Hanna	Mitchell	Schmid A F
Addis	Dillon	Harburger	Mohring	Schmid F
Adler	Donnelly	Hatch	Mullany	Schulum
Allds	Dutton	Hays	Murphy	Sears
Armstrong	Egan	Hill	Murray	Seligberg
Axtell	Eldridge	Hoes	Myers J C	Simmons
Baker	Ellis	Holbert	Nixon	Sinsheimer
Boland	Evarts	Hutton	O'Connor	Sloan

Bondy	Farrell	Ives	Oliver	Stedman
Brennan E C	Finn	Kavanaugh	Palmer	Stoneman
Brennen J F	Fish	Kelsey	Paris	Streifler
Brewster	Fitzgerald	Kullman	Patton	Sullivan
Brown	Fordyce	Laimbeer	Perkins	Taylor
Burr	Fritz	Lowenthal	Peterson	Ten Eyck
Cain	Fuller	Mahar	Phillips	Tiffany
Chanler	Gale	Maloney	Pickett	Tompkins
Clark C J	Gallagher	Marshall	Pierce	Tremper
Costello	Gibney	Martin	Post	Van Hoesen
Cottle	Glaser	Mason	Raplee	Vincent
Coughtry	Goodsell	McEwan	Redington	Vroman
Cowles	Green	McGuire	Reisert	Weekes
Crabtree	Greenwood	McKeown	Roche	Whipple
Cullen	Griggs	McLaughlin	Russell	Williams
Dale	Guider	Miles	Sage	Wright
Davis	Haight	Miller	Sanford	Zimmerman
DeGraw				

Those who voted in the negative, were

Clark A L Schultz

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1563) entitled "An act to amend chapter 589 of the Laws of 1868, entitled 'An act to incorporate the Chateaugay Water Works Company.'" (Int. No. 1204.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 4 }

Those who voted in the affirmative, were

Ackert	Dale	Guider	McGuire	Schulum
Addis	Davis	Hachemeis'r	McKeown	Sears
Adler	DeGraw	Haight	Meyer G W	Shoeneck

Allds	Delaney	Hanna	Miller	Simmons
Armstrong	Dillon	Harburger	Mitchell	Sloan
Axtell	Donnelly	Hays	Murphy	Smith E LaG
Baker	Dutton	Hill	Murray	Stedman
Boland	Egan	Hoes	Myers J C	Stoneman
Bondy	Eldridge	Holbert	O'Connor	Streifler
Brennan E C	Ellis	Hubbard	Oliver	Sullivan
Brennen J F	Evarts	Ives	Patton	Ten Eyck
Brewster	Finn	Johnson	Perkins	Tompkins
Brown	Fish	Kavanaugh	Peterson	Tremper
Burr	Fitzgerald	Kelly	Phillips	Tripp
Cain	Fordyce	Kullman	Pickett	Van Hoesen
Chanler	Fritz	Laimbeer	Post	Vincent
Clark A L	Fuller	Litchard	Raplee	Vroman
Clark C J	Gale	Mahar	Reisert	Wallace
Collins	Gallagher	Maloney	Roche	Weekes
Costello	Gibney	Marshall	Russell	Whipple
Cottle	Glaser	Martin	Sage	Wicke
Cowles	Goodsell	Mason	Sanford	Williams
Cross	Graney	Matteson	Schmid F	Wright
Cullen	Greenwood	McEwan	Schultz	Zimmerman

Those who voted in the negative, were

Griggs	Mullany	Palmer	Tiffany
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1586) entitled "An act to provide for the support and maintenance of the Woodhaven fire department of the town of Jamaica, borough of Queens, in The City of New York." (Int. No. 1212.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	121	}
{	NOES	00	}

Those who voted in the affirmative, were

Ackert	Delaney	Hanna	Miller	Schulum
Addis	Dillon	Hatch	Mitchell	Sears
Adler	Donnelly	Hays	Mohring	Shoeneck

Allds	Egan	Hill	Mullaney	Simmons
Armstrong	Eldridge	Hoes	Murphy	Sinsheimer
Axtell	Ellis	Holbert	Myers J C	Smith E LaG
Baker	Evarts	Hubbard	Nixon	Stedman
Boland	Farrell	Ives	O'Connor	Stoneman
Bondy	Fish	Johnson	Oliver	Streifler
Brennan E C	Fitzgerald	Kavanaugh	Palmer	Taylor
Brennen J F	Fordyce	Kelsey	Patton	Ten Eyck
Brewster	Fritz	Kullman	Perkins	Tiffany
Burr	Fuller	Litchard	Peterson	Trainor
Cain	Gale	Lowenthal	Phillips	Tremper
Chanler	Gallagher	Mahar	Pierce	Van Hoesen
Clark A L	Gibney	Maloney	Pickett	Van Rens'aer
Clark C J	Glaser	Marshall	Post	Vroman
Collins	Graney	Martin	Redington	Wallace
Costello	Green	Mason	Reisert	Weill
Cottle	Greenwood	McEwan	Russell	Whipple
Cowles	Griggs	McGuire	Sage	Wicke
Crabtree	Guider	McKeown	Schmid A F	Witter
Cross	Hachemeis'r	McLaughlin	Schmid F	Wright
Cullen	Haight	Meyer G W	Schultz	Zimmerman
Davis				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1792) entitled "An act to amend chapter 251 of the Laws of 1896, entitled 'An act for the protection of fur-bearing animals in the counties of Wayne, Jefferson and Cayuga.'" (Int. No. 1148.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Harburger	McLaughlin	Schulum
Addis	Donnelly	Hatch	Meyer G W	Sears
Adler	Dutton	Hays	Miles	Shoeneck

Allds	Egan	Hill	Miller	Simmons
Armstrong	Eldridge	Hoes	Mitchell	Sinsheimer
Axtell	Ellis	Holbert	Mullany	Smith E LaG
Baker	Evarts	Hubbard	Murray	Stedman
Bondy	Farrell	Hutton	Myers J C	Stoneman
Brennan E C	Finn	Johnson	Nixon	Streifler
Brewster	Fish	Kavanaugh	Oliver	Taylor
Brown	Fitzgerald	Kelly	Palmer	TenEyck
Burr	Fordyce	Kelsey	Patton	Tompkins
Chanler	Fuller	Kullman	Perkins	Trainor
Clark A L	Gale	Laimbeer	Peterson	Tremper
Collins	Gallagher	Litchard	Pickett	Van Hoesen
Costello	Gibney	Lowenthal	Pierce	Van Rens'aer
Cottle	Goodsell	Maher	Raplee	Vroman
Cowles	Graney	Maloney	Redington	Wallace
Crabtree	Green	Marshall	Roche	Weill
Cross	Greenwood	Martin	Russell	Wicke
Cullen	Griggs	Matteson	Sanford	Witter
Dale	Guider	McEwan	Schmid A F	Wright
Davis	Hachemeis'r	McGuire	Schultz	Zimmerman
Delaney	Hanna			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1780) entitled "An act to extend the time for the completion of the Hudson Tunnel Railway." (Int. No. 1321.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Haight	Miles	Seligsberg
Addis	Davis	Hanna	Mitchell	Shoeneck
Adler	DeGraw	Hays	Mullany	Sinsheimer
Allds	Delaney	Hill	Murray	Sloan
Armstrong	Donnelly	Hoes	Myers J C	Smith E LaG

Axtell	Dutton	Holbert	Nixon	Stedman
Baker	Egan	Hubbard	O'Connor	Stoneman
Boland	Eldridge	Ives	Oliver	Streifler
Bondy	Ellis	Johnson	Paris	Taylor
Brennan E C	Evarts	Kavanaugh	Perkins	Ten Eyck
Brennen J F	Farrell	Kelsey	Peterson	Tiffany
Brewster	Finn	Kullman	Pickett	Tompkins
Brown	Fitzgerald	Laimbeer	Pierce	Tremper
Cain	Fordyce	Lowenthal	Raplee	Tripp
Chanler	Fritz	Mahar	Redington	Van Kens'aer
Clark A L	Fuller	Maloney	Reisert	Vincent
Collins	Gale	Martin	Roche	Vroman
Costello	Gibney	Marshall	Russell	Weekes
Cottle	Glaser	Matteson	Sage	Weill
Coughtry	Goodsell	McEwan	Schmid A F	Wicke
Cowles	Green	McKeown	Schmid F	Williams
Crabtree	Greenwood	McLaughlin	Schultz	Wright
Cullen	Guider	Meyer G W	Schulum	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1785) entitled "An act to amend chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws,' relating to pharmacy, and to repeal sections 404 and 405-a of the Penal Code. (Int. No. 812.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hill	Miller	Seligsgberg
Addis	Dutton	Hoes	Mitchell	Shoeneck
Adler	Egan	Holbert	Mullany	Simmons
Allds	Eldridge	Hubbard	Murphy	Sloan
Armstrong	Ellis	Ives	Myers J C	Stedman

Baker	Evarts	Johnson	Nixon	Stoneman
Boland	Farrell	Kavanaugh	O'Connor	Streifler
Bondy	Finn	Kelly	Oliver	Sullivan
Brennan EC	Fish	Kelsey	Palmer	Taylor
Brennen J F	Fordyce	Kullman	Patton	Ten Eyck
Brown	Fritz	Laimbeer	Perkins	Tiffany
Burr	Fuller	Lowenthal	Phillips	Tompkins
Chanler	Gale	Mahar	Pickett	Trainor
Clark A L	Gallagher	Maloney	Raplee	Tremper
Collins	Gibney	Marshall	Redington	Tripp
Costello	Glaser	Martin	Reisert	Van Rens'ae
Coughtry	Graney	Mason	Roche	Vincent
Cowles	Greenwood	Matteson	Russell	Vroman
Crabtree	Guider	McEwan	Sanford	Wallace
Cullen	Hachemeis'r	McGuire	Schmid A F	Weekes
Dale	Hanna	McLaughlin	Schmid F	Whipple
DeGraw	Harburger	Meyer G W	Schultz	Wicke
Delaney	Hays	Miles	Schulum	Williams

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1627) entitled "An act to amend section 1771 of the Code of Civil Procedure." (Int. No. 1264.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hachemeis'r	McGuire	Seligberg
Addis	DeGraw	Hanna	McLaughlin	Shoeneck
Adler	Donnelly	Harburger	Meyer G W	Simmons
Armstrong	Dutton	Hatch	Miller	Sinsheimer
Axtell	Egan	Hill	Mohring	Sloan
Baker	Eldridge	Hoes	Murphy	Stedman
Bondy	Ellis	Hoffman	Murray	Stoneman
Brennan EC	Evarts	Holbert	Nixon	Streifler

Brennen J F	Farrell	Hubbard	O'Connor	Sullivan
Brewster	Finn	Ives	Palmer	Ten Eyck
Brown	Fish	Johnson	Paris	Tompkins
Burr	Fitzgerald	Kavanaugh	Perkins	Trainor
Cain	Fordyce	Kelly	Phillips	Tripp
Chanler	Fritz	Kelsey	Pickett	Van Hoesen
Clark A L	Fuller	Kullman	Post	Vincent
Clark C J	Gale	Laimbeer	Raplee	Vroman
Collins	Gallagher	Litchard	Reisert	Wallace
Costello	Gibney	Mahar	Roche	Weekes
Cottle	Glaser	Maloney	Russell	Weill
Coughtry	Graney	Marshall	Sanford	Whipple
Cowles	Green	Martin	Schmid A F	Williams
Crabtree	Greenwood	Mason	Schultz	Witter
Cross	Griggs	Matteson	Schulum	Zimmerman
Cullen	Guider	McEwan		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order; being Senate bill (No 250, Assembly reprint No. 1788) entitled "An act to further amend chapter 203 of the Laws of 1881, as subsequently amended, entitled 'An act to authorize the burial of the body of any honorably discharged soldier, sailor or marine who shall have hereafter died without leaving the means sufficient to defray funeral expenses; and to provide for a headstone for any honorably discharged soldier, sailor or marine heretofore or hereafter buried in any of the counties of this State.'" (Rec. No. 53.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form for at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hatch	Miles	Shoeneck
Addis	Delaney	Hays	Miller	Simmons
Adler	Dillon	Hill	Mitchell	Sloan

Allds	Donnelly	Hoffman	Mullany	Smith E LaG
Armstrong	Egan	Holbert	Murphy	Stedman
Axtell	Eldridge	Hutton	Murray	Stoneman
Boland	Ellis	Ives	Nixon	Sullivan
Bondy	Evarts	Johnson	O'Connor	Taylor
Brennan E C	Finn	Kavanaugh	Oliver	Ten Eyck
Brennen J F	Fish	Kelly	Paris	Tiffany
Brewster	Fitzgerald	Kelsey	Patton	Tompkins
Brown	Fritz	Kullman	Peterson	Trainor
Cain	Fuller	Litchard	Phillips	Tremper
Chanler	Gale	Lowenthal	Pickett	Van Hoesen
Clark A L	Gallagher	Mahar	Post	Van Rens'aer
Clark C J	Gibney	Maloney	Raplee	Vincent
Collins	Goodsell	Marshall	Reisert	Vroman
Costello	Graney	Martin	Roche	Weekes
Cottle	Green	Mason	Russell	Weill
Coughtry	Griggs	Matteson	Sanford	Whipple
Cowles	Guider	McEwan	Schmid A F	Wicke
Cross	Hachemeis'r	McGuire	Schmid F	Williams
Cullen	Haight	McLaughlin	Sears	Witter
Dale	Hanna	Meyer G W	Seligsberg	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 637) entitled "An act releasing certain real estate of the German Reformed Protestant Dutch Church, in The City of New York, from the taxes for the year 1897." (Rec. No. 167.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Guider	McEwan	Russell
Addis	Dale	Hachemeis'r	McGuire	Sage
Adler	Davis	Haight	McLaughlin	Schmid A F

Allds	DeGraw	Harburger	Myers J C	Schultz
Armstrong	Delaney	Hatch	Miles	Sears
Axtell	Donnelly	Hays	Miller	Seligsberg
Baker	Dutton	Hill	Mitchell	Shoeneck
Boland	Egan	Hoes	Mullany	Simmons
Bondy	Eldridge	Hoffman	Murphy	Sloan
Brennan E C	Evarts	Holbert	Myers J C	Stedman
Brennen J F	Farrell	Hubbard	Nixon	Stoneman
Brewster	Finn	Hutton	O'Connor	Streifler
Brown	Fish	Ives	Oliver	Taylor
Burr	Fitzgerald	Johnson	Palmer	Ten Eyck
Cain	Fordyce	Kavanaugh	Patton	Tompkins
Chanler	Fritz	Kelly	Perkins	Tremper
Clark A L	Fuller	Kelsey	Peterson	Van Hoesen
Clark C J	Gale	Kullman	Phillips	Van Rens'aer
Collins	Gibney	Laimbeer	Pickett	Wallace
Costello	Glaser	Litchard	Pierce	Weekes
Cottle	Goodsell	Mahar	Post	Whipple
Coughtry	Graney	Maloney	Raplee	Wicke
Cowles	Green	Marshall	Redington	Witter
Crabtree	Greenwood	Martin	Reisert	Wright
Cross	Griggs	Matteson	Roche	

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 870) entitled "An act for the relief of the German Hospital Society of Brooklyn, New York." (Rec. No. 286.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hays	Mitchell	Schultz
Addis	Donnelly	Hoes	Mohring	Sears
Adler	Dutton	Holbert	Mullany	Seligsberg

Allds	Egan	Hubbard	Murphy	Sinsheimer
Armstrong	Eldridge	Hutton	Myers J C	Sloan
Axtell	Ellis	Ives	Nixon	Stedman
Baker	Evarts	Kavanaugh	O'Connor	Stoneman
Boland	Farrell	Kelsey	Palmer	Streifler
Bondy	Fish	Kullman	Paris	Sullivan
Brennen J F	Fitzgerald	Laimbeer	Patton	Taylor
Brewster	Fordyce	Litchard	Perkins	Tiffany
Brown	Fritz	Lowenthal	Peterson	Tompkins
Cain	Fuller	Mahar	Phillips	Trainor
Chanler	Gallagher	Maloney	Pickett	Tripp
Clark A L	Gibney	Marshall	Pierce	Van Hoesen
Clark C J	Glaser	Martin	Post	Van Rens'aer
Collins	Graney	Mason	Raplee	Vincent
Costello	Green	Matteson	Redington	Vroman
Cottle	Greenwood	McEwan	Reisert	Weekes
Coughtry	Guider	McGuire	Roche	Weill
Crabtree	Hachemeis'r	McKeown	Russell	Whipple
Cross	Hanna	McLaughlin	Sage	Wicke
Dale	Harburger	Meyer G W	Sanford	Witter
Davis	Hatch	Miller	Schmid A F	Wright
DeGraw				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1731) entitled "An act to amend chapter 619 of the Laws of 1895, entitled 'An act to authorize the Court of Claims to hear, audit and determine claims for military uniforms and repairs thereto for the National Guard of the State of New York, and to make an award therefor.'" (Int. No. 652.)

Said bill having been announced for a second reading,

On motion of Mr. Adler, said bill was laid aside and stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 1595) entitled "An act to incorporate the Merchants' Transportation and Storage Company." (Int. No. 1221.)

On motion of Mr. Fitzgerald, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
 { NOES 6 }

Those who voted in the affirmative, were

Ackert	DeGraw	Haight	McEwan	Schulum
Addis	Dillon	Hanna	McKeown	Sears
Adler	Donnelly	Hatch	McLaughlin	Schoeneck
Allds	Dutton	Hays	Miles	Simmons
Armstrong	Eldridge	Hoes	Mohring	Sloan
Axtell	Ellis	Holbert	Mullany	Smith E LaG
Boland	Evarts	Hubbard	Murray	Stedman
Brennan EC	Farrell	Hutton	Nixon	Stoneman
Brennen J F	Finn	Ives	Oliver	Sullivan
Brown	Fitzgerald	Johnson	Palmer	Ten Eyck
Burr	Fordyce	Kavanaugh	Perkins	Tiffany
Cain	Fritz	Kelly	Phillips	Trainor
Chanler	Gale	Kelsey	Pickett	Tripp
Clark C J	Gallagher	Kullman	Post	Van Rens'aer
Collins	Gibney	Litchard	Redington	Vincent
Costello	Glaser	Lowenthal	Roche	Wallace
Cottle	Goodsell	Mahar	Russell	Weekes
Coughtry	Green	Maloney	Sage	Whipple
Cowles	Greenwood	Marshall	Sanford	Williams
Cross	Guider	Martin	Schmid A F	Witter
Cullen	Hachemeis'r	Matteson	Schultz	Wright
Davis				

Those who voted in the negative, were

Baker	Hill	Miller	Patton	Raplee
Fish				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1376) entitled "An act to amend the Labor Law, relating to the designation of deputy factory inspectors for the enforcement of provisions of such law concerning the employment of labor on public works." (Int. No. 1090.)

Said bill having been announced for a second reading,

Mr. Mahar moved to strike out the enacting clause.

The Speaker put the question whether the House would agree to said motion of Mr. Mahar and it was determined in the negative.

Mr. Delaney moved that said bill be placed on the order of third reading.

Mr. Speaker then put the question whether the House would agree to said motion and it was determined in the affirmative.

Said bill having been announced for a third reading,

On motion of Mr. Delaney, said bill was laid aside, retaining its place on the order of third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 549) entitled "An act to provide for the election of successors to town officers of the town of Wheatfield, county of Niagara, residing within the city of North Tonawanda." (Rec. No. 93.)

On motion of Mr. Nixon, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 55 }

Those who voted in the affirmative, were

Adler	DeGraw	Holbert	Miller	Stoneman
Allds	Delaney	Ives	Murphy	Taylor
Armstrong	Dutton	Johnson	Nixon	Ten Eyck
Axtell	Eldridge	Kavanaugh	Patton	Tiffany
Baker	Ellis	Kelsey	Perkins	Tremper
Bondy	Evarts	Laimbeer	Peterson	Tripp
Brennan EC	Fish	Litchard	Pierce	Van Rens'aer
Brewster	Fordyce	Lowenthal	Post	Vincent
Burr	Fuller	Marshall	Raplee	Wallace
Clark A L	Goodsell	Martin	Russell	Weekes
Clark C J	Greenwood	Mason	Sears	Whipple
Costello	Hatch	Matteson	Simmons	Williams
Cottle	Hays	McEwan	Sloan	Witter
Cowles	Hill	McLaughlin	Smith EL	LaG Zimmerman
Cross	Hoes	Miles	Stedman	Speaker
Davis				

Those who voted in the negative, were

Boland	Gale	Kelly	Myers J C	Schultz
Brennen J F	Gallagher	Kullman	Palmer	Seligsberg
Cain	Gibney	Mahar	Paris	Shoeneck
Collins	Glaser	Maloney	Pickett	Sinsheimer
Coughtry	Griggs	McGuire	Redington	Streifler
Crabtree	Guider	McKeown	Reisert	Tompkins
Cullen	Haight	Meyer G W	Roche	Trainor
Dillon	Harburger	Mitchell	Sage	Van Hoesen
Donnelly	Hoffman	Mohring	Sanford	Vroman
Farrell	Hubbard	Mullany	Schmid A F	Wicke
Finn	Hutton	Murray	Schmid F	Wright

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1763) entitled "An act to incorporate the Electric Water Power Company of Oneonta, Otsego county." (Int. No. 1295.)

On motion of Mr. Cowles, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Dutton	Hoes	Mullany	Sears
Addis	Egan	Hoffman	Murphy	Shoeneck
Adler	Ellis	Hubbard	Myers J C	Simmons
Allds	Evarts	Hutton	Nixon	Sloan
Axtell	Farrell	Ives	O'Connor	Smith E LaG
Boland	Finn	Kavanaugh	Oliver	Stedman
Bondy	Fitzgerald	Kelly	Paris	Stoneman
Brennen J F	Fordyce	Kullman	Patton	Streifler
Brewster	Fritz	Laimbeer	Perkins	Taylor
Brown	Fuller	Litchard	Peterson	Trainor
Burr	Gale	Mahar	Pickett	Tremper

Chanler	Gallagher	Maloney	Pierce	Van Hoesen
Clark C J	Gibney	Martin	Post	Vincent
Collins	Goodsell	Mason	Raplee	Wallace
Cottle	Graney	McEwan	Reddington	Weekes
Cowles	Green	McGuire	Reisert	Weill
Cross	Griggs	McLaughlin	Russell	Wicke
Cullen	Guider	Meyer G W	Sanford	Williams
Davis	Haight	Miles	Schmid A F	Witter
DeGraw	Hanna	Miller	Schultz	Wright
Delaney	Harburger	Mohring	Schulum	Zimmerman
Dillon	Hays			

In the negative,

Tiffany

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1527) entitled "An act to incorporate the Jansen-Kil Electric Power Company, of Hudson, Columbia county, New York." (Int. No. 955.)

On motion of Mr. Hoes, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 3 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Miller	Shoeneck
Addis	Donnelly	Hill	Mohring	Simmons
Adler	Egan	Hoffman	Mullany	Sloan
Armstrong	Ellis	Holbert	Murphy	Smith E La G
Axtell	Evarts	Hutton	Myers J C	Stedman
Boland	Finn	Ives	O'Connor	Streifer
Brennan E C	Fitzgerald	Kavanaugh	Paris	Taylor
Brewster	Fordyce	Kelsey	Perkins	Ten Eyck
Burr	Fritz	Kullman	Phillips	Trainor
Chanler	Gale	Litchard	Pickett	Tripp
Clark C J	Gibney	Mahar	Post	Van Hoesen

Costello	Goodsell	Maloney	Redington	Vincent
Coughtry	Graney	Marshall	Roche	Wallace
Cowles	Greenwood	Mason	Russell	Weekes
Cross	Griggs	McEwan	Sanford	Whipple
Cullen	Hachemeis'r	McGuire	Schmid A F	Wicke
Davis	Hanna	McLaughlin	Schulum	Witter
DeGraw	Harburger	Meyer G W	Seligsberg	Wright

Those who voted in the negative, were

Fish Palmer Tiffany

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 975) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof." (Rec. No. 320.)

On motion of Mr. Bondy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative were

Ackert	Delaney	Hachemeis'r	Miles	Simmons
Addis	Dillon	Haight	Mitchell	Sinsheimer
Adler	Donnelly	Harburger	Mullany	Smith E La G
Armstrong	Dutton	Hays	Myers J C	Stedman
Axtell	Eldridge	Hoes	O'Connor	Stoneman
Boland	Ellis	Hoffman	Oliver	Sullivan
Bondy	Evarts	Hubbard	Paris	Ten Eyck
Brennen J F	Finn	Ives	Perkins	Tiffany
Brewster	Fish	Johnson	Phillips	Trainor
Burr	Fordyce	Kelsey	Pierce	Tremper

Chanler	Fritz	Kullman	Post	Van Hoesen
Clark C J	Fuller	Litchard	Redington	Vincent
Costello	Gale	Mahar	Roche	Vroman
Cottle	Gallagher	Maloney	Russell	Wallace
Coughtry	Gibney	Martin	Sage	Weill
Crabtree	Goodsell	Matteson	Schmid A F	Wicke
Cross	Green	McEwan	Schultz	Witter
Dale	Greenwood	McKeown	Schulum	Wright
Davis	Griggs	Meyer G W	Seligsberg	Zimmerman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 31) entitled "An act regarding sales of real property under judgments for the partition and sale of real property, heretofore made, to guardians in socage of infant parties to actions." (Rec. No. 308.)

On motion of Mr. Nixon, and by unanimous consent, said bill was made a special order on second and third reading for Monday next immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1848) entitled "Concurrent resolution to amend section 8 of article 7 of the Constitution of the State of New York." (Int. No. 304.)

On motion of Mr. Nixon, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1403) entitled "An act to regulate the laying and using of street surface railroad tracks upon Amsterdam avenue in the City of New York, for the greater safety of the lives and limbs of the citizens of said city." (Int. No. 1139.)

On motion of Mr. Murray, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hatch	Mohring	Seligsb er g
Addis	Dillon	Hill	Mullany	Simmons
Adler	Donnelly	Hoes	Murray	Sinsheimer
Allds	Dutton	Holbert	Myers J C	Sloan
Armstrong	Egan	Hubbard	Nixon	Smith E LaG
Axtell	Eldridge	Hutton	Oliver	Stedman
Baker	Ellis	Ives	Palmer	Stoneman
Boland	Evarts	Kavanaugh	Paris	Streifler
Boland	Farrell	Kelly	Patton	Sullivan
Brennan E C	Finn	Kullman	Perkins	Taylor
Brennen J F	Fish	Laimbeer	Peterson	TenEyck
Brewster	Fitzgerald	Litchard	Phillips	Tiffany
Brown	Fordyce	Lowenthal	Pickett	Tompkins
Burr	Fuller	Mahar	Pierce	Trainor
Cain	Gale	Maloney	Post	Tremper
Chanler	Gallagher	Marshall	Raplee	Tripp
Clark A L	Gibney	Martin	Redington	Van Hoesen
Clark C J	Goodsell	Mason	Reisert	Van Rens'aer
Collins	Graney	Matteson	Russell	Vroman
Costello	Green	McGuire	Sage	Wallace
Cottle	Greenwood	McKeown	Sanford	Weekes
Coughtry	Griggs	McLaughlin	Schmid A F	Whipple
Cowles	Guider	Meyer G W	Schmid F	Wicke
Cross	Hachemeis'r	Miles	Schultz	Williams
Cullen	Haight	Miller	Schulum	Wright
Davis	Hanna	Mitchell	Sears	Zimmerman
DeGraw	Harburger			

Mr. Trainor moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 109 }
 } NOES 1 }

Those who voted in the affirmative, were

Ackert	Cross	Harburger	Miller	Schultz
Addis	Cullen	Hatch	Mitchell	Seligsberg
Adler	Dale	Hoffman	Mullaney	Shoeneck
Allds	Davis	Holbert	Murphy	Simmons
Armstrong	Dutton	Hubbard	Murray	Sinsheimer
Axtell	Egan	Kelly	Myers J C	Sloan
Baker	Eldridge	Kelsey	Nixon	Smith E La G
Boland	Ellis	Kullman	O'Connor	Sullivan
Bondy	Evarts	Litchard	Patton	Taylor
Brennan E C	Farrell	Lowenthal	Perkins	Tremper
Brennen J F	Finn	Mahar	Peterson	Tripp
Brewster	Fish	Maloney	Phillips	Van Hoesen
Brown	Fitzgerald	Marshall	Pickett	Van Rens'aer
Burr	Goodsell	Martin	Pierce	Vincent
Chanler	Graney	Mason	Post	Weill
Clark A L	Green	Matteson	Raplee	Whipple
Clark C J	Greenwood	McEwan	Redington	Wicke
Collins	Griggs	McGuire	Reisert	Williams
Costello	Guider	McKeown	Roche	Witter
Cottle	Hachemeis'r	McLaughlin	Russell	Wright
Coughtry	Haight	Meyer G W	Sage	Zimmerman
Cowles	Hanna	Miles	Sanford	

In the negative,

Crabtree

On motion of Mr. Trainor, said bill was laid aside and stricken from the calendar.

Mr. Allds in the chair.

Mr. Speaker announced the special order being the bill (No. 1681) entitled "An act to amend chapter 986 of the Laws of 1896, entitled 'An act to incorporate the Patent and Copyright Protective Association of New York.'" (Int. No. 1250.)

On motion of Mr. Finn, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affir-

mative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hoffman	Murphy	Seligsberg
Addis	Delaney	Hubbard	Murray	Shoeneck
Adler	Dillon	Hutton	Myers J C	Simmons
Allds	Donnelly	Ives	Nixon	Sloan
Armstrong	Dutton	Johnson	O'Connor	Smith E La G
Axtell	Egan	Kelly	Oliver	Stedman
Baker	Eldridge	Kelsey	Palmer	Stoneman
Boland	Ellis	Laimbeer	Paris	Streifler
Bondy	Farrell	Litchard	Perkins	Sullivan
Brennan E C	Finn	Lowenthal	Peterson	Taylor
Brennen J F	Fitzgerald	Mahar	Phillips	Ten Eyck
Brewster	Fordyce	Maloney	Pickett	Tompkins
Brown	Fuller	Marshall	Pierce	Trainor
Burr	Gale	Martin	Post	Tremper
Cain	Gallagher	Mason	Raplee	Tripp
Chanler	Glaser	Matteson	Redington	Van Hoesen
Clark A L	Goodsell	McEwan	Reisert	Vincent
Clark C J	Graney	McGuire	Roche	Vroman
Collins	Greenwood	McKeown	Russell	Wallace
Costello	Guider	Meyer G W	Sage	Weekes
Cottle	Hachemeis'r	Miles	Sanford	Whipple
Cowles	Hanna	Miller	Schmid A F	Wicke
Crabtree	Harburger	Mitchell	Schmid F	Williams
Cullen	Hatch	Mohring	Schultz	Witter
Dale	Hill	Mullany	Schulum	Zimmerman
Davis	Hoes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1589) entitled "An act to provide for the construction of a bridge and the approaches thereto, and for the extension and repair of the old abutments, in the village of Seneca Falls, in the county of Seneca, and making an appropriation therefor." (Int. No. 1215.)

On motion of Mr. Van Rensselaer, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hays	Miles	Seligsberg
Addis	DeGraw	Hill	Mitchell	Simmons
Adler	Donnelly	Hoes	Mohring	Sinsheimer
Allds	Egan	Hoffman	Murphy	Sloan
Armstrong	Eldridge	Holbert	Myers J C	Stedman
Baker	Ellis	Hubbard	Nixon	Stoneman
Boland	Evarts	Hutton	O'Connor	Streifler
Bondy	Farrell	Ives	Palmer	Taylor
Brennen J F	Fitzgerald	Johnson	Patton	Ten Eyck
Brewster	Fordyce	Kelly	Peterson	Tompkins
Burr	Fritz	Kelsey	Phillips	Trainor
Cain	Gale	Kullman	Pickett	Tremper
Chanler	Gallagher	Laimbeer	Post	Tripp
Clark A L	Glaser	Litchard	Raplee	Van Rens'aer
Clark C J	Goodsell	Mahar	Redington	Vroman
Collins	Green	Maloney	Reisert	Wallace
Costello	Greenwood	Marshall	Russell	Weekes
Cottle	Guider	Martin	Sage	Weill
Coughtry	Hachemeis'r	Mason	Schmid A F	Wicke
Cowles	Hanna	McEwan	Schmid F	Williams
Crabtree	Harburger	McGuire	Schultz	Wright
Cross	Hatch	McLaughlin	Sears	Zimmerman
Cullen				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1621) entitled "An act to amend chapter 672 of the Laws of 1897, entitled 'An act to amend chapter 410 of the Laws of 1182, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, as

amended by chapters 84 and 288 of the Laws of 1887, and by chapter 238 of the Laws of 1892, and by chapter 567 of the Laws of 1895, and otherwise so as to provide for the improvement of tenements and lodging-houses." (Int. No. 1258.)

On motion of Mr. Dillon, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	McGuire	Sears
Addis	Dillon	Hatch	McKeown	Seligsberg
Allds	Donnelly	Hays	Meyer G W	Shoeneck
Armstrong	Dutton	Hill	Miles	Simmons
Axtell	Egan	Hoes	Miller	Sinsheimer
Baker	Eldridge	Hoffman	Mitchell	Sloan
Bondy	Ellis	Holbert	Mullany	Stedman
Brennan E C	Evarts	Hubbard	Murphy	Stoneman
Brennen J F	Farrell	Hutton	Myers J C	Streifler
Brewster	Finn	Ives	Nixon	Taylor
Burr	Fish	Johnson	O'Connor	Ten Eyck
Cain	Fitzgerald	Kavanaugh	Oliver	Tiffany
Chanler	Fritz	Kelsey	Paris	Tremper
Clark A L	Fuller	Kullman	Patton	Tripp
Clark C J	Gallagher	Laimbeer	Perkins	VanHoesen
Collins	Gibney	Litchard	Phillips	Van Rens'aer
Costello	Glaser	Lowenthal	Pickett	Vincent
Coughtry	Goodsell	Mahar	Post	Vroman
Cowles	Green	Maloney	Raplee	Wallace
Crabtree	Greenwood	Marshall	Reisert	Weekes
Cross	Griggs	Martin	Roche	Whipple
Cullen	Guider	Mason	Russell	Wicke
Dale	Hachemeis'r	Matteson	Sanford	Witter
Davis	Haight	McEwan	Schmid F	Wright
DeGraw	Hanna			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1688) entitled "An act to amend chapter 325 of the Laws of 1897, entitled 'An act providing for a system of county roads in the county of Orange,' relating to streets and highways of cities and villages." (Int. No. 1274.)

On motion of Mr. Goodsell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Griggs	Meyer G W	Sears
Addis	Dale	Guider	Miles	Seligsberg
Adler	Davis	Hachemeis'r	Mitchell	Shoeneck
Allds	DeGraw	Haight	Mohring	Simmons
Armstrong	DeLaney	Harburger	Murphy	Sinsheimer
Axtell	Dillon	Hays	Murray	Sloan
Baker	Donnelly	Hill	Myers J C	Stedman
Boland	Dutton	Hoes	Nixon	Stoneman
Bondy	Egan	Hoffman	O'Connor	Streidler
Brennan EC	Eldridge	Hubbard	Oliver	Sullivan
Brennen J F	Ellis	Hutton	Paris	Taylor
Brewster	Evarts	Johnson	Patton	TenEyck
Brown	Farrell	Kavanaugh	Perkins	Tiffany
Burr	Finn	Kelsey	Peterson	Tompkins
Cain	Fish	Laimbeer	Pickett	Tremper
Chanler	Fitzgerald	Litchard	Pierce	Tripp
Clark A L	Fordyce	Lowenthal	Post	Van Hoesen
Clark C J	Fuller	Mahar	Raplee	Vincent
Collins	Gale	Maloney	Roche	Vroman
Costello	Gallagher	Marshall	Russell	Wallace
Cottle	Gibney	Martin	Sage	Weill
Coughtry	Glaser	Mason	Sanford	Whipple

Cowles	Goodsell	Matteson	Schmid A F Williams
Crabtree	Green	McGuire	Schultz Witter
Cross	Greenwood	McLaughlin	Schulum Wright

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1259) entitled "An act to release from assessments heretofore made on the real estate of the Saint Joseph's Asylum in The City of New York." (Int. No. 1014.)

On motion of Mr. Harburger, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Mullany	Schulum
Addis	Egan	Hoffman	Murray	Sears
Adler	Eldridge	Holbert	Myers J C	Seligsberg
Allds	Evarts	Hubbard	Nixon	Shoeneck
Axtell	Farrell	Hutton	O'Connor	Simmons
Baker	Finn	Ives	Oliver	Sinsheimer
Boland	Fish	Johnson	Palmer	Sloan
Brennan E C	Fitzgerald	Kelly	Patton	Smith E La G
Brewster	Fritz	Kelsey	Perkins	Stedman
Brown	Fuller	Laimbeer	Peterson	Stoneman
Cain	Gale	Lowenthal	Phillips	Streifler
Chanler	Gibney	Mahar	Pickett	Sullivan
Clark C J	Glaser	Maloney	Pierce	Ten Eyck
Collins	Graney	Marshall	Post	Tiffany
Cottle	Greenwood	Martin	Raplee	Trainor
Coughtry	Griggs	Mason	Redington	Tremper
Cowles	Guider	Matteson	Reisert	Van Hoesen
Crabtree	Hachemeis'r	McEwan	Russell	Vincent
Cross	Haight	McKeown	Sage	Weekes

Dale	Hanna	McLaughlin	Sanford	Whipple
Davis	Harburger	Miles	Schmid A F	Williams
DeGraw	Hays	Miller	Schmid F	Witter
Dillon	Hill	Mohring	Schultz	Wright

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1260) entitled "An act to release from assessments heretofore made on the real estate of the Missionary Society of the Most Holy Redeemer in the State of New York." (Int. No. 1015.)

On motion of Mr. Harburger, said bill was read the second time and ordered to a third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Myer G W	Schultz
Addis	Donnelly	Hatch	Miles	Sears
Adler	Dutton	Hays	Miller	Seligsberg
Allds	Egan	Hoes	Mohring	Simmons
Armstrong	Ellis	Hoffman	Mullany	Sinsheimer
Axtell	Evarts	Hubbard	Murray	Smith E LaG
Baker	Farrell	Hutton	Myers J C	Stedman
Boland	Finn	Ives	O'Connor	Stoneman
Brennan E C	Fish	Johnson	Oliver	Streifler
Brennen J F	Fitzgerald	Kavanaugh	Palmer	Sullivan
Brewster	Fordyce	Kelly	Patton	Ten Eyck
Brown	Fritz	Kelsey	Perkins	Tiffany
Burr	Fuller	Kullman	Phillips	Tompkins
Chanler	Gale	Litchard	Pickett	Trainor
Clark C J	Gallagher	Lowenthal	Pierce	Tripp
Collins	Gibney	Mahar	Raplee	Van Hoesen
Costello	Glaser	Maloney	Redington	Vincent
Coughtry	Goodsell	Marshall	Reisert	Vroman

Cowles	Greenwood	Martin	Roche	Weekes
Crabtree	Griggs	Mason	Sage	Whipple
Cross	Guider	McEwan	Sanford	Williams
Dale	Hachemeis'r	McGuire	Schmid F	Witter
Davis	Haight	McKeown	Schmid A F	Zimmerman
DeGraw	Hanna			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1322) entitled "An act to exempt the real estate of 'The Sisters of the Poor of Saint Francis,' in the State of New York, from taxation, assessments and water rates." (Int. No. 1041.)

On motion of Mr. Harburger, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 123 }
} NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hatch	Mohring	Sears
Addis	Dillon	Hays	Mullany	Seligsberg
Adler	Donnelly	Hoes	Murphy	Simmons
Allds	Dutton	Hoffman	Myers J C	Sinsheimer
Armstrong	Egan	Holbert	Nixon	Sloan
Axtell	Eldridge	Hutton	O'Connor	Stedman
Baker	Ellis	Ives	Oliver	Stoneman
Boland	Evarts	Johnson	Paris	Striefier
Bondy	Farrell	Kavanaugh	Patton	Sullivan
Brennan EC	Finn	Kelsey	Perkins	Taylor
Brennen J F	Fish	Kullman	Peterson	Tiffany
Brewster	Fitzgerald	Litchard	Pickett	Tompkins
Brown	Fordyce	Lowenthal	Pierce	Trainor
Cain	Fritz	Mahar	Post	Tremper
Chanler	Fuller	Maloney	Raplee	Tripp
Clark C J	Gale	Marshall	Reisert	Van Hoesen
Collins	Gallagher	Martin	Roche	Van Rens'aer

Costello	Gibney	Matteson	Russell	Vroman
Cottle	Goodsell	McEwan	Sage	Wallace
Cowles	Graney	McGuire	Sanford	Weekes
Crabtree	Greenwood	McKeown	Schmid A F	Whipple
Cross	Guider	Meyer G W	Schmid F	Williams
Cullen	Hachemeis'r	Miles	Schultz	Witter
Dale	Haight	Miller	Schulum	Zimmerman
Davis	Hanna	Mitchell		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 256) entitled "An act providing for the erection of a State armory in the village of Whitehall, Washington county, the acquisition of a site therefor and making an appropriation for building said armory." (Int. No. 254.)

On motion of Mr. Paris, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Mohring	Schulum
Addis	Donnelly	Hill	Mullany	Seligsberg
Adler	Dutton	Hoffman	Murray	Simmons
Allds	Egan	Holbert	Myers J C	Sinsheimer
Axtell	Eldridge	Hubbard	Nixon	Sloan
Baker	Evarts	Hutton	O'Connor	Smith E LaG
Boland	Farrell	Ives	Oliver	Stedman
Brennan E C	Finn	Kavanaugh	Palmer	Stoneman
Brennen J F	Fish	Kelly	Paris	Streifler
Brewster	Fordyce	Kelsey	Perkins	Taylor
Brown	Fritz	Kullman	Peterson	Tiffany
Cain	Fuller	Laimbeer	Phillips	Tompkins
Chanler	Gallagher	Litchard	Pickett	Tremper

Clark C J	Gibney	Mahar	Pierce	Tripp
Collins	Glaser	Maloney	Post	Van Rens'aer
Costello	Goodsell	Lowenthal	Redington	Vincent
Coughtry	Graney	Marshall	Reisert	Vroman
Cowles	Griggs	Martin	Russell	Weekes
Cross	Green	Mason	Sage	Weill
Cullen	Guider	McEwan	Sanford	Wicke
Dale	Haight	McGuire	Schmid A F	Williams
Davis	Hanna	McLaughlin	Schmid F	Wright
DeGraw	Harburger	Meyer G W	Schultz	Zimmerman
Delaney	Hatch	Miller		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 29) entitled "An act to provide for the payment of a certain local assessment against State property in the city of Buffalo, and making an appropriation therefor." (Int. No. 29.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hanna	Mullany	Sears
Addis	Davis	Harburger	Murphy	Seligsberg
Adler	DeGraw	Hays	Murray	Simmons
Allds	Delaney	Hill	Myers J C	Sinsheimer
Armstrong	Dillon	Hoffman	Nixon	Sloan
Axtell	Donnelly	Holbert	O'Connor	Smith E LaG
Baker	Dutton	Hutton	Palmer	Stedman
Boland	Egan	Ives	Paris	Stoneman
Bondy	Eldridge	Kavanaugh	Patton	Streifler
Brennan E C	Ellis	Kelly	Perkins	Sullivan
Brennen J F	Evarts	Kullman	Peterson	Ten Eyck

Brewster	Finn	Laimbeer	Phillips	Tiffany
Brown	Fish	Lowenthal	Pickett	Tompkins
Burr	Fitzgerald	Mahar	Pierce	Tremper
Cain	Fordyce	Maloney	Raplee	Tripp
Chanler	Fritz	Marshall	Redington	Van Rens'aer
Clark A L	Fuller	Martin	Reisert	Vincent
Clark C J	Gallagher	Mason	Roche	Wallace
Collins	Gibney	McEwan	Russell	Weekes
Costello	Goodsell	McGuire	Sage	Weill
Cottle	Graney	McKeown	Sanford	Whipple
Coughtry	Greenwood	Meyer G W	Schmid A F	Wicke
Cowles	Griggs	Miles	Schmid F	Witter
Crabtree	Hachemeis'r	Miller	Schultz	Wright
Cross	Haight	Mitchell	Schulum	Zimmerman
Cullen				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1566) entitled "An act to authorize towns to purchase the works, property and franchises of any water works company which supplies such town with water, and to provide for payment for the same." (Int. No. 1207.)

On motion of Mr. Eldridge, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hill	Murray	Simmons
Addis	Dutton	Hoes	Myers J C	Sinsheimer
Adler	Egan	Hoffman	O'Connor	Sloan
Allds	Eldridge	Hubbard	Oliver	Smith E LaG
Armstrong	Ellis	Hutton	Palmer	Stedman
Axtell	Farrell	Johnson	Patton	Stoneman

Baker	Finn	Kavanaugh	Perkins	Streifler
Boland	Fish	Kelly	Peterson	Sullivan
Brennan E C	Fitzgerald	Kullman	Pickett	Taylor
Brennen J F	Fritz	Laimbeer	Pierce	Ten Eyck
Brown	Fuller	Litchard	Post	Tompkins
Burr	Gale	Lowenthal	Raplee	Trainor
Cain	Gallagher	Mahar	Redington	Tremper
Chanler	Gibney	Maloney	Roche	Tripp
Clark C J	Glaser	Marshall	Russell	Van Hoesen
Collins	Goodsell	Martin	Sage	Van Renssae'r
Costello	Green	Matteson	Sanford	Vincent
Coughtry	Griggs	McEwan	Schmid A F	Vroman
Cowles	Guider	McGuire	Schmid F	Weekes
Crabtree	Hachemeis'r	McLaughlin	Schultz	Whipple
Cross	Haight	Meyer G W	Schulum	Wicke
Dale	Hanna	Miles	Sears	Witter
Davis	Harburger	Mitchell	Seligsberg	Wright
DeGraw	Hatch	Mohring	Shoeneck	Zimmerman
Delaney	Hays	Murphy		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1212) entitled "An act releasing the interest of the State of New York in certain lands of which Sarah Folao died seized, to George W. Church as overseer of the poor of the town of Romulus, in the county of Seneca and State of New York." (Int. No. 995.)

On motion of Mr. Van Rensselaer, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

} AYES 122 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mitchell	Shoeneck
Addis	Dillon	Hatch	Mohring	Simmons

Adler	Donnelly	Hays	Mullany	Sinsheimer
Allds	Egan	Hoes	Murphy	Smith E LaG
Armstrong	Eldridge	Hoffman	Murray	Stedman
Axtell	Ellis	Holbert	Myers J C	Stoneman
Baker	Evarts	Hubbard	O'Connor	Streifler
Boland	Farrell	Ives	Oliver	Sullivan
Bondy	Fish	Kavanaugh	Palmer	Taylor
Brennan E C	Fitzgerald	Kelly	Paris	Ten Eyck
Brennen J F	Fordyce	Kullman	Perkins	Tiffany
Brewster	Fuller	Laimbeer	Peterson	Tompkins
Burr	Gale	Lowenthal	Phillips	Trainor
Cain	Gallagher	Mahar	Pierce	Tremper
Chanler	Gibney	Maloney	Post	VanHoesen
Clark C J	Glaser	Marshall	Raplee	Van Rens'aer
Collins	Goodsell	Martin	Redington	Vincent
Costello	Graney	Mason	Reisert	Wallace
Cottle	Green	Matteson	Roche	Weekes
Coughtry	Greenwood	McEwan	Sage	Weill
Crabtree	Griggs	McKeown	Sanford	Wicke
Cross	Guider	McLaughlin	Schmid A F	Williams
Cullen	Hachemeis'r	Meyer G W	Schultz	Witter
Dale	Haight	Miller	Schulum	Zimmerman
Davis	Hanna			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1659) entitled "An act to amend subdivison 1 of section 2722 of the Code of Civil Procedure, so as to read as follows." (Int. No. 1118.)

On motion of Mr. Shoeneck, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hanna	Miles	Seligsberg
Addis	Delaney	Harburger	Mitchell	Shoeneck
Adler	Dillon	Hays	Mullany	Sinsheimer
Allds	Donnelly	Hill	Murphy	Sloan
Armstrong	Egan	Hoes	Murray	Smith E LaG
Axtell	Eldridge	Holbert	Myers J C	Stedman
Baker	Ellis	Hubbard	O'Connor	Stoneman
Boland	Farrell	Hutton	Oliver	Sullivan
Bondy	Finn	Ives	Paris	Taylor
Brennan E C	Fish	Kavanaugh	Perkins	TenEcyk
Brennen J F	Fitzgerald	Kelly	Peterson	Tompkins
Brewster	Fordyce	Kullman	Phillips	Trainor
Brown	Fritz	Laimbeer	Pierce	Tremper
Burr	Fuller	Litchard	Post	Van Hoesen
Chanler	Gale	Lowenthal	Redington	VanRens'laer
Clark A L	Gallagher	Mahar	Reisert	Vroman
Collins	Gibney	Maloney	Roche	Wallace
Costello	Glaser	Martin	Russell	Weill
Cottle	Graney	Mason	Sage	Wicke
Cowles	Green	McEwan	Schmid A F	Williams
Crabtree	Greenwood	McGuire	Schmid F	Witter
Cross	Griggs	McKeown	Schultz	Wright
Cullen	Guider	Meyer G W	Schulum	Zimmerman
Davis	Hachemeis'r			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1781) entitled "An act to amend chapter 754 of the Laws of 1857, entitled 'An act to amend an act passed May 2, 1834, incorporating the village of Camden, being chapter 242 of the Laws of 1834, entitled An act to incorporate the village of Camden, in the county of Oneida,' as amended by chapter 54 of the Laws of 1864, and by chapter 498 of the Laws of 1871, and by chapter 375 of the Laws of 1890, and by chapter 13 of the Laws of 1898." (Int. No. 1322.)

Said bill having been announced for a second reading,

On motion of Mr. Mason, said bill was laid aside and stricken from the calendar.

Mr. Speaker announced the special order being, the bill (No. 682) entitled "An act to amend paragraph 23 of subdivision 22 of section

230 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn, and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to hospitals and dispensaries." (Int. No. 365.)

On motion of Mr. Tiffany, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Davis	Hanna	Meyer G W	Schulum
Addis	DeGraw	Hatch	Miller	Sears
Adler	Delaney	Hays	Mitchell	Shoeneck
Allds	Dillon	Hill	Mullany	Simmons
Armstrong	Dutton	Hoes	Murphy	Sloan
Axtell	Egan	Holbert	Myers J C	Smith E La G
Baker	Eldridge	Hubbard	O'Connor	Stedman
Boland	Ellis	Ives	Oliver	Stoneman
Bondy	Farrell	Johnson	Palmer	Sullivan
Brennen J F	Finn	Kavanaugh	Patton	Taylor
Brewster	Fish	Kelly	Perkins	Ten Eyck
Brown	Fitzgerald	Kullman	Peterson	Tiffany
Burr	Fritz	Laimbeer	Phillips	Tremper
Cain	Fuller	Litchard	Pierce	Tripp
Clark A L	Gallagher	Lowenthal	Post	Van Hoesen
Clark C J	Gibney	Mahar	Raplee	Vincent
Collins	Glaser	Maloney	Redington	Vroman
Costello	Graney	Marshall	Reisert	Weekes
Cottle	Green	Martin	Roche	Weill
Coughtry	Greenwood	Mason	Russell	Whipple
Crabtree	Griggs	McEwan	Sanford	Williams
Cross	Guider	McGuire	Schmid F	Witter

Cullen Hachemeis'r McLaughlin Schultz Zimmerman
Dale Haight

In the negative,
Trainor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1455) entitled "An act to amend chapter 524 of the Laws of 1897, entitled 'An act to grade the members of the Brooklyn police force who were officers of the Flatlands police force before Flatlands was annexed to the city of Brooklyn.'" (Int. No. 1121.)

On motion of Mr. Tiffany, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Davis	Harburger	Meyer G W	Schulum
Addis	DeGraw	Hatch	Miles	Sears
Adler	Delaney	Hays	Miller	Seligsberg
Allds	Dillon	Hoes	Mitchell	Simmons
Armstrong	Donnelly	Hoffman	Mohring	Sinsheimer
Axtell	Egan	Holbert	Murphy	Sloan
Baker	Eldridge	Hubbard	Murray	Stedman
Boland	Ellis	Hutton	Myers J C	Stoneman
Bondy	Evarts	Ives	O'Connor	Streifler
Brennan E C	Finn	Kavanaugh	Oliver	Sullivan
Brewster	Fish	Kelly	Palmer	Taylor
Brown	Fitzgerald	Kelsey	Patton	Ten Eyck
Burr	Fritz	Kullman	Peterson	Tiffany
Cain	Fuller	Laimbeer	Phillips	Tripp
Chanler	Gale	Litchard	Pickett	Van Hoesen
Clark A L	Gibney	Mahar	Post	Van Rens'aer
Clark C J	Glaser	Maloney	Raplee	Vroman
Collins	Goodsell	Marshall	Reisert	Wallace

Cottle	Graney	Martin	Russell	Weekes
Coughtry	Greenwood	Mason	Sage	Weill
Cowles	Griggs	Matteson	Sanford	Wicke
Crabtree	Guider	McEwan	Schmid A F	Witter
Cullen	Haight	McGuire	Schultz	Zimmerman
Dale	Hanna	McKeown		

In the negative,
Trainor

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1450) entitled "An act to amend the Consolidated School Law, relative to alteration of school commissioner districts." (Int. No. 1116.)

On motion of Mr. Pickett, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cross	Haight	Mitchell	Sears
Addis	Dale	Hanna	Mohring	Shoeneck
Adler	Davis	Harburger	Murphy	Simmons
Allds	Delaney	Hays	Murray	Sloan
Armstrong	Dillon	Hill	Myers J C	Smith E LaG
Axtell	Donnelly	Hoes	Nixon	Stedman
Baker	Dutton	Holbert	O'Connor	Stoneman
Boland	Eldridge	Hubbard	Oliver	Sullivan
Bondy	Ellis	Ives	Palmer	Taylor
Brennan E C	Farrell	Johnson	Patton	Ten Eyck
Brennen J F	Finn	Kavanaugh	Perkins	Tiffany
Brewster	Fish	Kelly	Peterson	Trainor
Brown	Fitzgerald	Kelsey	Phillips	Tremper
Burr	Fritz	Laimbeer	Pickett	Tripp

Cain	Fuller	Litchard	Pierce	Van Hoesen
Chanler	Gale	Mahar	Post	Vincent
Clark A L	Gallagher	Maloney	Redington	Wallace
Clark C J	Glaser	Martin	Reisert	Weekes
Collins	Goodsell	Mason	Russell	Weill
Costello	Green	McEwan	Sage	Whipple
Cottle	Greenwood	McGuire	Schmid A F	Williams
Coughtry	Griggs	McLaughlin	Schmid F	Witter
Cowles	Guider	Meyer G W	Schultz	Wright
Crabtree	Hachemeis'r	Miller	Schulum	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1044) entitled "An act to widen and improve certain streets in the borough of Brooklyn, in The City of New York." (Int. No. 544.)

On motion of Mr. Tiffany, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Davis	Hoes	Miller	Schulum
Addis	DeGraw	Hoffman	Mitchell	Sears
Adler	Delaney	Holbert	Mohring	Shoeneck
Allds	Dillon	Hubbard	Mullany	Simmons
Armstrong	Dutton	Hutton	Murray	Sinsheimer
Axtell	Egan	Ives	Myers J C	Sloan
Baker	Ellis	Johnson	Nixon	Stedman
Boland	Farrell	Kavanaugh	O'Connor	Stoneman
Brennan E C	Finn	Kelly	Oliver	Streifler
Brennen J F	Fitzgerald	Kelsey	Palmer	Sullivan
Brewster	Fordyce	Kullman	Paris	Taylor
Brown	Fritz	Laimbeer	Patton	Ten Eyck
Cain	Gale	Litchard	Peterson	Tiffany

Chanler	Gibney	Lowenthal	Pickett	Tripp
Clark A L	Glaser	Mahar	Pierce	Van Hoesen
Clark C J	Graney	Maloney	Post	Van Rens'aer
Collins	Green	Marshall	Raplee	Vincent
Costello	Greenwood	Mason	Redington	Wallace
Cottle	Griggs	Matteson	Reisert	Weekes
Crabtree	Hachemeis'r	McGuire	Roche	Whipple
Cowles	Haight	McKeown	Sage	Williams
Cross	Hanna	Meyer G W	Schmid A F	Witter
Cullen	Hatch	Miles	Schmid F	Wright
Dale	Hays			

In the negative,

Trainor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1694) entitled "An act in relation to the proceeds of sale of school lands in the borough of Brooklyn, New York." (Int. No. 1280.)

On motion of Mr. Tiffany, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Egan	Holbert	Murphy	Seligsberg
Addis	Ellis	Hutton	Murray	Shoeneck
Adler	Farrell	Ives	Myers J C	Simmons
Allds	Finn	Johnson	Nixon	Sinsheimer
Armstrong	Fitzgerald	Kelly	O'Connor	Sloan
Axtell	Fordyce	Kelsey	Palmer	Stedman
Boland	Fritz	Kullman	Paris	Stoneman
Bondy	Gale	Laimbeer	Patton	Streifler
Brennen J F	Gallagher	Litchard	Perkins	Sullivan

Brewster	Glaser	Mahar	Peterson	Taylor
Burr	Goodsell	Maloney	Pickett	Ten Eyck
Cain	Graney	Marshall	Pierce	Tiffany
Clark A L	Green	Martin	Post	Tompkins
Clark C J	Greenwood	Mason	Raplee	Tremper
Collins	Griggs	Matteson	Redington	Van Hoesen
Cottle	Hachemeist'r	McEwan	Reisert	Vincent
Cowles	Haight	McGuire	Roche	Vroman
Crabtree	Hanna	McLaughlin	Russell	Wallace
Cullen	Harburger	Meyer G W	Sage	Weill
Dale	Hatch	Miller	Schmid A F	Whipple
Davis	Hill	Mitchell	Schmid F	Williams
Delaney	Hoes	Mohring	Schultz	Witter
Dillon	Hoffman	Mullany	Schulum	Zimmerman
Dutton				

In the negative,
Trainor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1329) entitled "An act to provide for payment for the services rendered to the city of Brooklyn, in the county of Kings (now forming part of The City of New York, under and by virtue of chapter 378 of the Laws of 1897), by the volunteer firemen of the town of Flatbush, in said county of Kings, annexed to said former city of Brooklyn, by chapter 356 of the Laws of 1894." (Int. No. 1058.)

On motion of Mr. Tiffany, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 120 }
} NOES 1 }

Those who voted in the affirmative, were

Ackert	DeGraw	Haight	Meyer G W	Schulum
Addis	Delaney	Hanna	Miles	Sears
Adler	Dillon	Harburger	Miller	Seligsonberg

Allds	Dutton	Hatch	Mitchell	Simmons
Armstrong	Egan	Hays	Mullany	Sinsheimer
Axtell	Eldridge	Hoes	Murphy	Smith E LaG
Baker	Ellis	Hoffman	Murray	Stoneman
Boland	Evarts	Hubbard	Myers J C	Streifler
Bondy	Farrell	Hutton	Nixon	Sullivan
Brennan E C	Finn	Johnson	O'Connor	Taylor
Brennen J F	Fish	Kavanaugh	Palmer	Ten Eyck
Brown	Fitzgerald	Kelly	Paris	Tiffany
Burr	Fordyce	Kelsey	Perkins	Tompkins
Chanler	Fritz	Kullman	Peterson	Tripp
Clark A L	Fuller	Laimbeer	Phillips	Van Hoesen
Clark C J	Gale	Litchard	Pickett	Van Rens'aer
Collins	Gallagher	Mahar	Post	Vroman
Costello	Gibney	Maloney	Raplee	Wallace
Coughtry	Glaser	Marshall	Redington	Weekes
Cowles	Goodsell	Martin	Roche	Weill
Crabtree	Green	Mason	Sage	Wicke
Cross	Greenwood	McEwan	Sanford	Williams
Cullen	Griggs	McGuire	Schmid F	Wright
Dale	Hachemeis'r	McKeown	Schultz	Zimmerman

In the negative,
Trainor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1704) entitled "An act to release the interest of the State of New York in certain real estate in The City of New York to Robert L. T. Irvin, Mary I. Smith and Ethel Irvin." (Int. No. 1290.)

On motion of Mr. Armstrong, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Finn	Kavanaugh	Murray	Shoeneck
Addis	Eldridge	Kelly	Myers J C	Simmons
Adler	Ellis	Kelsey	Nixon	Sinsheimer
Allds	Evarts	Kullman	O'Connor	Sloan
Armstrong	Farrell	Laimbeer	Oliver	Smith E La G
Axtell	Finn	Litchard	Palmer	Stedman
Baker	Fritz	Lowenthal	Patton	Stoneman
Boland	Fuller	Mahar	Perkins	Streifler
Bondy	Gale	Maloney	Peterson	Sullivan
Brennan E C	Gallagher	Marshall	Phillips	Taylor
Brennen J F	Gibney	Martin	Pickett	Ten Eyck
Brewster	Glaser	Mason	Pierce	Tiffany
Brown	Goodsell	Matteson	Redington	Trainor
Burr	Graney	McEwan	Reisert	Tremper
Cain	Green	McGuire	Roche	Tripp
Collins	Greenwood	McKeown	Russell	Van Hoesen
Costello	Griggs	McLaughlin	Sage	Van Rens'aer
Cottle	Guider	Meyer G W	Sanford	Vincent
Coughtry	Hachemeis'r	Miles	Schmid A F	Vroman
Cowles	Hoes	Miller	Schmid F	Wallace
Crabtree	Hoffman	Mitchell	Schultz	Weekes
Cross	Holbert	Mohring	Schulum	Witter
Cullen	Hubbard	Mullany	Sears	Wright
Dale	Johnson	Murphy	Seligsberg	Zimmerman
Davis				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1255) entitled "An act for the relief of the Young Men's Christian Association of Mount Vernon, New York, a religious chairitable and benevolent corporation." (Int. No. 1010.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	McLaughlin	Schultz
Addis	Delaney	Hatch	Miles	Schulum
Adler	Dillon	Hays	Miller	Seligsberg
Allds	Donnelly	Hill	Mitchell	Shoeneck
Armstrong	Egan	Hoes	Mohring	Simmons
Baker	Eldridge	Holbert	Murphy	Sinsheimer
Boland	Ellis	Hubbard	Murray	Smith E La G
Bondy	Evarts	Ives	Myers J C	Stedman
Brennan E C	Farrell	Johnson	Nixon	Stoneman
Brewster	Finn	Kavanaugh	O'Connor	Sullivan
Brown	Fitzgerald	Kelly	Paris	Taylor
Burr	Fritz	Kelsey	Patton	Ten Eyck
Chanler	Fuller	Kullman	Perkins	Tiffany
Clark A L	Gale	Litchard	Peterson	Trainor
Clark C J	Gallagher	Lowenthal	Pickett	Tremper
Collins	Glaser	Mahar	Pierce	Van Hoesen
Costello	Goodsell	Maloney	Post	Van Rens'aer
Cottle	Green	Marshall	Redington	Vroman
Coughtry	Greenwood	Martin	Reisert	Weekes
Cowles	Griggs	Mason	Roche	Whipple
Crabtree	Hachemeis'r	McEwan	Sage	Wicke
Cross	Haight	McGuire	Schmid A F	Witter
Cullen	Hanna	McKeown	Schmid F	Zimmerman
Dale				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1676) entitled "An act to exempt certain property belonging to the city of Poughkeepsie from taxation." (Int. No. 1244.)

On motion of Mr. Tripp, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hays	Murphy	Shoeneck
Addis	Davis	Hill	Murray	Simmons
Adler	DeGraw	Hoes	Nixon	Sinsheimer
Allds	Delaney	Hoffman	O'Connor	Sloan
Armstrong	Dillon	Hubbard	Oliver	Stedman
Axtell	Donnelly	Hutton	Palmer	Stoneman
Baker	Dutton	Ives	Patton	Streifler
Boland	Egan	Kelly	Perkins	Sullivan
Bondy	Eldridge	Kelsey	Peterson	Taylor
Brennan E C	Ellis	Laimbeer	Phillips	Ten Eyck
Brennen J F	Evarts	Litchard	Pickett	Tiffany
Brewster	Finn	Mahar	Post	Tompkins
Brown	Fitzgerald	Maloney	Pierce	Trainor
Cain	Fritz	Marshall	Raplee	Tripp
Chanler	Gale	Martin	Redington	Van Hoesen
Clark A L	Gallagher	Mason	Reisert	Van Rens'aer
Clark C J	Glaser	McEwan	Roche	Vincent
Collins	Goodsell	McGuire	Russell	Vroman
Costello	Graney	McKeown	Sage	Wallace
Cottle	Green	Meyer G W	Sanford	Weekes
Coughtry	Griggs	Miles	Schmid F	Weill
Cowles	Guider	Miller	Schultz	Wicke
Crabtree	Hachemeis'r	Mitchell	Schulum	Williams
Cross	Hanna	Mullany	Seligsberg	Wright
Cullen	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1666) entitled "An act to provide for the payment of certain claims for material furnished and work, labor and services performed for the commissioner of correction of the City of New York in connection with alterations to the Tombs and other institutions." (Int. No. 1234.)

On motion of Mr. Lowenthal said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hays	Miller	Sears
Addis	Delaney	Hill	Mohring	Seligsberg
Adler	Dillon	Hoes	Mullany	Simmons
Armstrong	Donnelly	Hoffman	Murphy	Sinsheimer
Axtell	Dutton	Holbert	Myers J C	Smith E La G
Boland	Egan	Hubbard	Nixon	Stedman
Bondy	Ellis	Ives	O'Connor	Stoneman
Brennan E C	Farrell	Johnson	Oliver	Streifler
Brennen J F	Finn	Kavanaugh	Palmer	Sullivan
Brewster	Fish	Kelsey	Paris	Taylor
Burr	Fordyce	Kullman	Patton	Ten Eyck
Cain	Fritz	Laimbeer	Perkins	Tompkins
Chanler	Fuller	Lowenthal	Peterson	Trainor
Clark A L	Gale	Mahar	Phillips	Tremper
Clark C J	Gallagher	Maloney	Pierce	Van Hoesen
Collins	Gibney	Marshall	Post	Van Rens'aer
Costello	Goodsell	Martin	Redington	Vincent
Cottle	Graney	Mason	Reisert	Vroman
Coughtry	Green	McEwan	Roche	Weekes
Cowles	Griggs	McGuire	Sage	Weill
Crabtree	Guider	McKeown	Sanford	Whipple
Cross	Hachemeis'r	McLaughlin	Schmid A F	Williams
Cullen	Haight	Meyer G W	Schultz	Wright
Dale	Hanna	Miles	Schulum	Zimmerman
Davis	Hatch			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 604) entitled "An act to amend the Lien Law, relating to contracts for the conditional sale of goods and chattels." (Rec. No. 220.)

On motion of Mr. Lowenthal, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Mitchell	Simmons
Addis	Egan	Hoffman	Mohring	Sloan
Adler	Eldridge	Holbert	Murphy	Stedman
Armstrong	Evarts	Hubbard	Myers J C	Stoneman
Axtell	Farrell	Hutton	Nixon	Streifler
Baker	Finu	Ives	O'Connor	Sullivan
Boland	Fish	Johnson	Oliver	Taylor
Brennan E C	Fordyce	Kavanaugh	Paris	Ten Eyck
Brennen J F	Fritz	Kelly	Perkins	Tiffany
Brewster	Fuller	Kelsey	Peterson	Tompkins
Burr	Gallagher	Kullman	Phillips	Tremper
Cain	Gibney	Litchard	Pickett	Tripp
Chanler	Glaser	Lowenthal	Post	Van Hoesen
Clark A L	Graney	Mahar	Raplee	Van Rens'aer
Clark C J	Greenwood	Maloney	Redington	Vincent
Costello	Griggs	Marshall	Reisert	Vroman
Cottle	Guider	Mason	Roche	Wallace
Cowles	Hachemeis'r	Matteson	Russell	Weekes
Crabtree	Haight	McEwan	Sanford	Whipple
Cross	Hanna	McGuire	Schmid F	Wicke
Cullen	Harburger	McKeown	Schultz	Williams
Davis	Hatch	Meyer G W	Schulum	Witter
DeGraw	Hays	Miles	Sears	Wright
Dillon	Hill	Miller	Seligsberg	

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 949) entitled "An act to amend the Game Law and acts amendatory thereof, relating to the screening of streams and rivers to prevent the passage of fish." (Rec. No. 296.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Harburger	Miller	Schultz
Addis	DeGraw	Hatch	Mitchell	Schulum
Adler	Delaney	Hays	Mohring	Sears
Allds	Donnelly	Hill	Mullany	Seligsberg
Armstrong	Dutton	Hoes	Murphy	Simmons
Axtell	Egan	Hoffman	Murray	Sinsheimer
Boland	Eldridge	Holbert	Myers J C	Smith E LaG
Bondy	Ellis	Hubbard	Nixon	Stedman
Brennan E C	Evarts	Ives	O'Connor	Stoneman
Brennen J F	Farrell	Johnson	Oliver	Streifler
Brewster	Finn	Kavanaugh	Palmer	Sullivan
Brown	Fish	Kelsey	Patton	Ten Eyck
Burr	Fordyce	Kullman	Perkins	Tiffany
Cain	Fuller	Laimbeer	Peterson	Trainor
Chanler	Gale	Litchard	Pickett	Tremper
Clark A L	Gallagher	Mahar	Pierce	Van Hoesen
Clark C J	Gibney	Maloney	Post	Van Rens'aer
Collins	Goodsell	Marshall	Raplee	Vroman
Costello	Graney	Martin	Redington	Wallace
Cottle	Greenwood	Mason	Roche	Weill
Coughtry	Griggs	McEwan	Russell	Whipple
Cowles	Guider	McGuire	Sage	Williams
Crabtree	Hachemeis'r	McKeown	Schmid A F	Wright
Cullen	Hanna	Meyer G W	Schmid F	Zimmerman
Dale				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 709) entitled "An act to amend chapter 760 of the Laws of

1897, entitled 'An act to revise the charter of the city of Watertown.' (Rec. No. 227.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hoffman	Mohring	Sears
Addis	Delaney	Holbert	Mullany	Seligsberg
Adler	Donnelly	Hubbard	Murphy	Shoeneck
Allds	Dutton	Hutton	Murray	Simmons
Armstrong	Eldridge	Ives	Myers J C	Sinsheimer
Axtell	Ellis	Johnson	O'Connor	Smith E La G
Baker	Farrell	Kavanaugh	Oliver	Stedman
Boland	Fish	Kelsey	Palmer	Stoneman
Bondy	Fitzgerald	Kullman	Patton	Streifler
Brennan E C	Fordyce	Laimbeer	Perkins	Sullivan
Brewster	Fuller	Litchard	Peterson	Taylor
Brown	Gale	Lowenthal	Phillips	Tiffany
Cain	Gibney	Mahar	Pickett	Trainor
Chanler	Goodsell	Maloney	Pierce	Tremper
Clark C J	Green	Marshall	Post	Van Hoesen
Collins	Greenwood	Martin	Redington	Vincent
Costello	Griggs	Mason	Reisert	Vroman
Cottle	Guider	McEwan	Roche	Wallace
Coughtry	Hachemeis'r	DeGraw	Russell	Weill
Cowles	Haight	McKeown	Sanford	Wicke
Crabtree	Hanna	Meyer G W	Schmid A F	Williams
Cross	Harburger	Miles	Schmid F	Wright
Cullen	Hays	Miller	Schultz	Zimmerman
Davis	Hoes	Mitchell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 388) entitled "An act to amend the Railroad Law, relative to grade crossings." (Rec. No. 90.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Crabtree	Hanna	McLaughlin	Schulum
Addis	Davis	Harburger	Meyer G W	Sears
Adler	DeGraw	Hatch	Miles	Seligsberg
Allds	Delaney	Hays	Miller	Shoeneck
Armstrong	Dillon	Hill	Mitchell	Simmons
Axtell	Donnelly	Hoes	Mohring	Sinsheimer
Baker	Dutton	Hoffman	Nixon	Sloan
Boland	Egan	Holbert	O'Connor	Smith E LaG
Bondy	Fish	Hubbard	Oliver	Stedman
Brennan E C	Fitzgerald	Kelsey	Palmer	Stoneman
Brennen J F	Fordyce	Kullman	Paris	Streifler
Brewster	Fritz	Laimbeer	Patton	Sullivan
Brown	Fuller	Litchard	Perkins	Taylor
Burr	Gale	Lowenthal	Peterson	TenEyck
Cain	Gallagher	Mahar	Phillips	Trainor
Chanler	Gibney	Maloney	Redington	Tremper
Clark A L	Glaser	Marshall	Reisert	Tripp
Clark C J	Goodsell	Martin	Roche	Van Hoesen
Collins	Graney	Mason	Russell	Wallace
Costello	Green	Matteson	Sage	Weekes
Cottle	Greenwood	McEwan	Sanford	Weill
Coughtry	Griggs	McGuire	Schmid A F	Whipple
Cowles	Guider	McKeown	Schmid F	Wicke

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 722) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the owners of Township 6, Brown's tract, Herkimer county, against the State, for damages alleged to have been sustained by them, and to render judgment therefor." (Rec. No. 275.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 119 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hoffman	Mullany	Shoeneck
Addis	Egan	Holbert	Murphy	Simmons
Adler	Eldridge	Hubbard	Murray	Sloan
Allds	Ellis	Hutton	Myers J C	Smith E LaG
Armstrong	Farrell	Ives	O'Connor	Stedman
Baker	Finn	Johnson	Oliver	Stoneman
Boland	Fish	Kavanaugh	Palmer	Streifler
Bondy	Fitzgerald	Kelsey	Paris	Sullivan
Brennan E C	Fordyce	Kullman	Patton	Taylor
Brewster	Fritz	Laimbeer	Perkins	Tiffany
Brown	Fuller	Lowenthal	Peterson	Tompkins
Burr	Gallagher	Mahar	Phillips	Tremper
Chanler	Gibney	Maloney	Pierce	Van Hoesen
Clark A L	Glaser	Marshall	Post	Tripp
Collins	Graney	Martin	Redington	Vincent
Costello	Green	Matteson	Reisert	Vroman
Cottle	Griggs	McEwan	Roche	Wallace
Cowles	Guider	McGuire	Russell	Weekes
Cross	Hachemeist'r	McLaughlin	Sanford	Whipple
Cullen	Haight	Meyer G W	Schmid A F	Wicke
Davis	Harburger	Miles	Schmid F	Witter
DeGraw	Hatch	Miller	Schultz	Wright
Dillon	Hays	Mitchell	Schulum	Zimmerman
Donnelly	Hill	Mohring	Sears	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 457) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district and the appellate division thereof in the first department,' as amended by chapter 362 of the Laws of 1896, chapter 656 of the Laws of 1897, relative to salaries of the clerks in that district." (Rec. No. 273.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	McKeown	Shoeneck
Addis	Delaney	Hatch	Myers J C	Simmons
Adler	Donnelly	Hays	O'Connor	Sinsheimer
Allds	Dutton	Hoes	Oliver	Sloan
Armstrong	Egan	Hoffman	Paris	Stedman
Baker	Eldridge	Holbert	Patton	Streifler
Boland	Evarts	Hutton	Perkins	Sullivan
Bondy	Farrell	Ives	Peterson	Tiffany
Brennan E C	Finn	Johnson	Phillips	Tompkins
Brennen J F	Fitzgerald	Kelly	Pickett	Trainor
Brewster	Fordyce	Kelsey	Pierce	Tremper
Brown	Fritz	Kullman	Post	Van Hoesen
Cain	Fuller	Laimbeer	Raplee	Van Rens'aer
Chanler	Gale	Lowenthal	Reisert	Vincent
Clark A L	Gibney	Mahar	Roche	Vroman
Collins	Glaser	Maloney	Russell	Wallace
Costello	Goodsell	Marshall	Sanford	Weekes
Cottle	Graney	Martin	Schmid A F	Whipple

Coughtry	Green	Mason	Schmid F	Wicke
Cowles	Griggs	Matteson	Schultz	Williams
Cross	Guider	McEwan	Sears	Witter
Cullen	Hachemeis'r	McGuire	Seligsberg	Wright
Dale	Hanna			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 260) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court, in the first judicial district, and the appellate division thereof in the first department,' as amended by chapter 362 of the Laws of 1896, and chapter 656 of the Laws of 1897, in relation to compensation of clerks." (Rec. No. 83.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hanna	Myers G W	Schmid F
Addis	DeGraw	Harburger	Miles	Schultz
Adler	Delaney	Hatch	Miller	Seligsberg
Allds	Dillon	Hays	Mitchell	Shoeneck
Axtell	Donnelly	Hill	Mohring	Simmons
Baker	Dutton	Hoes	Mullany	Sinsheimer
Boland	Egan	Hoffman	Murphy	Sloan
Bondy	Eldridge	Holbert	Murray	Smith E La G
Brennan E C	Ellis	Hubbard	Myers J C	Stedman
Brennen J F	Evarts	Hutton	Nixon	Stoneman
Brewster	Fordyce	Ives	O'Connor	Streifler
Brown	Fritz	Johnson	Oliver	Tompkins
Burr	Fuller	Kullman	Palmer	Trainor

Cain	Gale	Laimbeer	Paris	Tremper
Chanler	Gallagher	Litchard	Patton	Tripp
Clark A L	Gibney	Mahar	Perkins	Van Hoesen
Clark C J	Glaser	Maloney	Peterson	Van Rens'aer
Costello	Goodsell	Marshall	Raplee	Vroman
Cottle	Graney	Martin	Redington	Wallace
Coughtry	Green	Mason	Reisert	Weekes
Cowles	Greenwood	Matteson	Roche	Weill
Crabtree	Griggs	McEwan	Russell	Whipple
Cross	Guider	McGuire	Sage	Wright
Cullen	Hachemeist'r	McKeown	Sanford	Zimmerman
Dale	Haight	McLaughlin	Schmid A F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 881) entitled "An act to authorize Jeremiah P. Robinson to construct, build and maintain a bulkhead in front of his lands, in the Twelfth ward of the borough of Brooklyn of The City of New York." (Rec. No. 247.)

On motion of Mr. McKeown, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Harburger	McLaughlin	Schmid F
Addis	Dale	Hatch	Meyer G W	Schulum
Adler	Davis	Hays	Miles	Sears
Allds	DeGraw	Hill	Miller	Seligsberg
Armstrong	Delaney	Hoes	Mitchell	Shoeneck
Axtell	Dillon	Hoffman	Mohring	Smith E LaG
Baker	Egan	Ives	Mullany	Stedman
Boland	Eldridge	Johnson	Murphy	Stoneman
Bondy	Ellis	Kavanaugh	Murray	Streifler

Brennan E C	Farrell	Kelly	Myers J C	Sullivan
Brennen J F	Finn	Kelsey	Nixon	Taylor
Brewster	Fish	Kullman	O'Connor	Ten Eyck
Brown	Fitzgerald	Laimbeer	Oliver	Tiffany
Burr	Fordyce	Litchard	Palmer	Tompkins
Cain	Fritz	Lowenthal	Paris	Trainor
Chanler	Fuller	Mahar	Patton	Vroman
Clark A L	Gale	Maloney	Perkins	Wallace
Clark C J	Graney	Marshall	Peterson	Weekes
Collins	Green	Martin	Redington	Weill
Costello	Greenwood	Mason	Reisert	Whipple
Cottle	Griggs	Matteson	Roche	Wicke
Coughtry	Guider	McEwan	Russell	Williams
Cowles	Hachemeis'r	McGuire	Sage	Witter
Crabtree	Haight	McKeown	Sanford	Wright
Cross	Hanna		Schmid A F	Zimmerman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly, have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 837) entitled "An act to amend section 7 of chapter 940 of the Laws of 1896, entitled 'An act incorporating the International Bond and Debenture Company.'" (Rec. No. 307.)

On motion of Mr. Brown, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Ives	Mullany	Seligberg
Addis	Egan	Johnson	Murphy	Shoeneck
Adler	Eldridge	Kavanaugh	Murray	Simmons
Allds	Ellis	Kelly	Myers J C	Sinsheimer
Axtell	Evarts	Kelsey	Nixon	Sloan

Baker	Farrell	Kullman	O'Connor	Smith E LaG
Boland	Fish	Laimbeer	Oliver	Streifler
Bondy	Fish	Litchard	Palmer	Sullivan
Brennan E C	Fish	Lowenthal	Paris	Taylor
Brennen J F	Fitzgerald	Mahar	Patton	Ten Eyck
Brewster	Fordyce	Maloney	Perkins	Tiffany
Brown	Dale	Marshall	Peterson	Tremper
Burr	Fuller	Martin	Phillips	Tripp
Coughtry	Dale	Mason	Pickett	Van Hoesen
Cowles	Gallagher	Matteson	Raplee	Van Rens'aer
Crabtree	Gibney	McEwan	Redington	Wallace
Cross	Glaser	McGuire	Reisert	Weekes
Cullen	Hanna	McKeown	Roche	Weill
Dale	Harburger	McLaughlin	Russell	Whipple
Davis	Hatch	Meyer G W	Sage	Wicke
DeGraw	Hays	Miles	Sanford	Williams
Delaney	Hoes	Miller	Schultz	Witter
Dillon	Hoffman	Mitchell	Schulum	Wright
Donnelly	Holbert	Mohring	Sears	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1071) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' relative to the salaries of teachers in the public schools." (Rec. No. 295.)

On motion of Mr. Trainor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hays	Mullany	Schulum
Addis	Delaney	Hill	Murphy	Sears
Adler	Dillon	Hoes	Murray	Seligsberg
Allds	Donnelly	Hoffman	Myers J C	Shoeneck
Armstrong	Dutton	Hutton	Nixon	Simmons
Axtell	Egan	Ives	O'Connor	Sinsheimer
Baker	Eldridge	Johnson	Oliver	Sloan
Boland	Ellis	Kavanaugh	Palmer	Smith E La G
Bondy	Evarts	Kelly	Paris	Sullivan
Brennan E C	Farrell	Kelsey	Fatton	Taylor
Brennen J F	Finn	Kullman	Perkins	TenEyck
Brewster	Fitzgerald	Laimbeer	Peters on	Tiffany
Brown	Gibney	Litchard	Phillips	Tompkins
Burr	Glaser	Lowenthal	Pickett	Trainor
Cain	Goodsell	Mason	Pierce	Tremper
Chanler	Graney	Matteson	Post	Tripp
Clark A L	Green	McEwan	Raplee	Tan Hoesen
Clark C J	Greenwood	McGuire	Redington	Weekes
Collins	Griggs	McKeown	Reisert	Weill
Costello	Guider	McLaughlin	Roche	Whipple
Cottle	Hachemeis'r	Meyer G W	Russell	Wicke
Coughtry	Haight	Miles	Sage	Williams
Cowles	Hanna	Miller	Sanford	Witter
Dale	Harburger	Mitchell	Schmid F	Zimmerman
Davis	Hatch	Mohring	Schultz	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 590) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the first judicial district, and the appellate division thereof in the first department,' as amended by chapter 959 of the Laws of 1895, chapter 362 of the Laws of 1896, and chapter 656 of the Laws of 1897." (Rec. No. 221.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hays	McLaughlin	Sears
Addis	DeGraw	Hill	Miles	Seligsberg
Adler	Delaney	Hoes	Miller	Shoeneck
Allds	Dillon	Hubbard	Murphy	Sinsheimer
Armstrong	Donnelly	Hutton	Murray	Sloan
Axtell	Dutton	Ives	Myers J C	Smith E La G
Baker	Egan	Johnson	O'Connor	Stedman
Boland	Eldridge	Kavanaugh	Oliver	Stoneman
Bondy	Farrell	Kelly	Palmer	Streifler
Brennan E C	Finn	Kelsey	Paris	Sullivan
Brennen J F	Fish	Kullman	Patton	Taylor
Brewster	Fitzgerald	Laimbeer	Perkins	Ten Eyck
Brown	Gibney	Litchard	Peterson	Tiffany
Burr	Glaser	Lowenthal	Phillips	Tompkins
Cain	Goodsell	Mahar	Pickett	Trainor
Clark A L	Graney	Maloney	Pierce	Tremper
Clark C J	Green	Marshall	Post	Tripp
Collins	Greenwood	Martin	Raplee	Van Hoesen
Costello	Griggs	Mason	Redington	Weill
Cottle	Guider	Matteson	Reisert	Whipple
Coughtry	Hachemeis'r	McEwan	Sage	Wicke
Cowles	Haight	McKeown	Sanford	Williams
Crabtree	Hanna	McLaughlin	Schmid A F	Witter
Cross	Harburger	McGuire	Schultz	Wright
Cullen	Hatch	McKeown	Schulum	Zimmerman
Dale				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 832) entitled "An act to amend chapter 261 of the Laws of 1892, being an act entitled 'An act to provide for the compensation

of justices of the Supreme Court from any judicial district other than the second judicial district, who shall be assigned to hold court or perform judicial duties in the county of Kings, and to provide for the assignment of such justices.'” (Rec. No. 291.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Haight	Meyer & W	Schultz
Addis	Delaney	Hanna	Miles	Schulum
Adler	Dillon	Harburger	Miller	Sears
Allds	Donnelly	Hatch	Mitchell	Seligsberg
Armstrong	Dutton	Hays	Mohring	Shoeneck
Axtell	Egan	Hill	Mullany	Simmons
Baker	Eldridge	Hoes	Murphy	Sinsheimer
Boland	Ellis	Hutton	Murray	Stedman
Bondy	Evarts	Ives	Myers J C	Stoneman
Brennan E C	Finn	Johnson	Nixon	Streifler
Brennen J F	Fish	Kavanaugh	O'Connor	Sullivan
Brewster	Fitzgerald	Kelly	Oliver	Taylor
Brown	Fordyce	Kelsey	Palmer	Tripp
Burr	Fritz	Kullman	Paris	Van Hoesen
Cain	Fuller	Laimbeer	Patton	Van Rens'ae
Chanler	Gale	Litchard	Perkins	Vincent
Clark A L	Gallagher	Lowenthal	Peterson	Vroman
Clark C J	Gibney	Marshall	Phillips	Wallace
Collins	Glaser	Martin	Pickett	Weekes
Costello	Goodsell	Mason	Pierce	Weill
Cottle	Green	Matteson	Post	Whipple
Coughtry	Greenwood	McEwan	Raplee	Wicke
Cowles	Griggs	McGuire	Sanford	Williams
Cullen	Guider	McKeown	Schmid A F	Witter
Dale	Hachemeis'r	McLaughlin	Schmid F	Wright
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 802) entitled "An act in relation to the compensation of justices of the Supreme Court designated in the appellate division of the second department, from any district other than the second judicial district." (Rec. No. 257.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hubbard	Myers J C	Sinsheimer
Addis	Delaney	Hutton	Nixon	Sloan
Adler	Dutton	Ives	O'Connor	Smith E LaG
Allds	Egan	Johnson	Oliver	Stedman
Armstrong	Eldridge	Kavanaugh	Palmer	Stoneman
Axtell	Ellis	Kelly	Paris	Striefler
Baker	Evarts	Kelsey	Patton	Sullivan
Boland	Farrell	Kullman	Perkins	Taylor
Bondy	Finn	Lambeer	Peterson	Ten Eyck
Brennan E C	Fish	Litchard	Phillips	Tiffany
Brennen J F	Fitzgerald	Lowenthal	Pickett	Tompkins
Brewster	Fordyce	Mahar	Pierce	Trainor
Brown	Green	Maloney	Post	Van Hoesen
Burr	Greenwood	Marshall	Raplee	Van Rens'aer
Clark A L	Griggs	Mason	Redington	Vincent
Clark C J	Guider	Matteson	Reisert	Vroman
Collins	Hachemeis'r	McEwan	Roche	Wallace
Costello	Haight	McGuire	Russell	Weekes
Crabtree	Hauna	McKeown	Schmid A F	Weill
Cottle	Harburger	McLaughlin	Schmid F	Whipple
Cowles	Hatch	Meyer G W	Schulum	Wicke

Crabtree	Hays	Miles	Sears	Williams
Cross	Hoes	Miller	Seligsberg	Witter
Cullen	Hoffman	Mohring	Shoneck	Wright
Dale	Holbert	Mullany	Simmons	Zimmerman
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 765) entitled "An act to amend section 86 of the charter of the City of Auburn." (Rec. No. 192.)

On motion of Mr. Fordyce said bill was read the second time and ordered to a shird reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form as least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hanna	McLaughlin	Schmid A F
Addis	Donnelly	Harburger	Meyer G W	Schmid F
Adler	Dutton	Hatch	Miles	Schultz
Allds	Egan	Hays	Miller	Schulum
Armstrong	Eldridge	Hubbard	Mitchell	Sears
Axtell	Ellis	Hutton	Mohring	Seligsberg
Baker	Evarts	Ives	Mullany	Shoeneck
Boland	Farrell	Johnson	Murphy	Simmons
Bondy	Finn	Kavanaugh	Murray	Sinsheimer
Brennan E C	Fish	Kelly	Myers J C	Sloan
Brennen J F	Fitzgerald	Kelsey	Nixon	Smith E LaG
Brewster	Fordyce	Kullman	O'Connor	Stedman
Brown	Fritz	Laimbeer	Oliver	Stoneman
Burr	Gallagher	Litchard	Palmer	Streifler
Cain	Gibney	Lowenthal	Paris	Sullivan
Chanler	Glaser	Mahar	Patton	Taylor
Clark A L	Goodsell	Maloney	Perkins	Ten Eyck
Clark C J	Graney	Marshall	Peterson	Tiffany
Collins	Green	Martin	Phillips	Tompkins

Costello	Greenwood	Mason	Pickett	Trainor
Cottle	Griggs	Matteson	Russell	Tremper
Coughtry	Guider	McGuire	Sage	Tripp
Cowles	Hachemeister	McKeown	Sanford	Wallace
Crabtree	Haight			

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 676) entitled "An act providing for the sale of land situated in the city of Auburn and held by the agent and warden of Auburn prison for the use of the State." (Rec. No. 213.)

On motion of Mr. Fordyce, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	120	}
{	NOES	00	}

Those who voted in the affirmative, were

Ackert	Dale	Hatch	McKeown	Sage
Addis	Davis	Hays	McLaughlin	Sanford
Adler	DeGraw	Hill	Meyer G W	Schmid A F
Allds	Delaney	Hoes	Miles	Schmid F
Armstrong	Dillon	Hoffman	Miller	Schultz
Axtell	Donnelly	Hubbard	Mitchell	Schulum
Baker	Evarts	Hutton	Mohring	Simmons
Boland	Farrell	Ives	Mullany	Sinsheimer
Bondy	Finn	Johnson	Murphy	Sloan
Brennan E C	Fish	Kavanaugh	Murray	Smith E LaG
Brennen J F	Fitzgerald	Kelly	Myers J C	Stedman
Brewster	Fordyce	Kelsey	Nixon	Stoneman
Brown	Fritz	Kullman	O'Connor	Streifler
Burr	Fuller	Laimbeer	Oliver	Tremper
Cain	Gale	Litchard	Palmer	Tripp
Chanler	Gallagher	Lowenthal	Paris	Van Hoesen
Clark A L	Gibney	Mahar	Patton	Van Rens' aer

Clark C J	Greenwood	Maloney	Perkins	Vincent
Collins	Griggs	Marshall	Peterson	Vroman
Costello	Guider	Martin	Phillips	Wallace
Cottle	Hachemeis'r	Mason	Pickett	Weekes
Coughtry	Haight	Matteson	Pierce	Weill
Cross	Hanna	McEwan	Post	Whipple
Cullen	Harburger	McGuire	Russell	Wicke

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly, have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 900) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the City of Geneva.'" (Rec. No. 289.)

On motion of Mr. Simmons, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hill	Myers J C	Simmons
Addis	Donnelly	Hoes	Nixon	Sinsheimer
Adler	Dutton	Hoffman	O'Connor	Sloan
Allds	Egan	Johnson	Oliver	Smith E LaG
Axtell	Eldridge	Kavanaugh	Palmer	Stedman
Baker	Ellis	Kelly	Paris	Stoneman
Boland	Fordyce	Kelsey	Patton	Streifler
Bondy	Fritz	Kullman	Perkins	Sullivan
Brennan E C	Fuller	Lainbeer	Peterson	Taylor
Brennen J F	Gale	Litchard	Phillips	Ten Eyck
Brewster	Gallagher	Lowenthal	Pickett	Tiffany
Brown	Gibney	Matteson	Pierce	Tompkins
Burr	Glaser	McEwan	Reisert	Trafnor
Clark C J	Goodsell	McGuire	Roche	Tremper
Collins	Green	McKeown	Russell	Tripp
Costello	Greenwood	McLaughlin	Sage	Van Rens'aer
Cottle	Griggs	Meyer G W	Sanford	Vincent

Coughtry	Guider	Miles	Schmid A F	Vroman
Cowles	Hachemeis'r	Miller	Schmid F	Wallace
Crabtree	Haight	Mitchell	Schultz	Weekes
Cross	Hanna	Mohring	Schulum	Weill
Cullen	Harburger	Mullany	Sears	Wicke
Dale	Hatch	Murphy	Seligsberg	Wright
Davis	Hays	Murray	Shoeneck	Zimmerman
DeGraw				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 883) entitled "An act to authorize the board of commissioners of the sinking fund of The City of New York, to transfer certain property to the Brooklyn Public Library for use as part of a free library." (Rec. No. 243.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Johnson	Mullany	Simmons
Addis	Dutton	Kavanaugh	Murray	Sinsheimer
Adler	Egan	Kelly	Myers J C	Sloan
Allds	Finn	Kelsey	Nixon	Smith E LaG
Armstrong	Fish	Kullman	O'Connor	Stoneman
Axtell	Fitzgerald	Laimbeer	Oliver	Streifer
Baker	Fordyce	Litchard	Palmer	Sullivan
Boland	Fritz	Lowenthal	Paris	Taylor
Bondy	Fuller	Mahar	Patton	Ten Eyck
Brennan E C	Gale	Maloney	Perkins	Tiffany
Clark A L	Gallagher	Marshall	Raplee	Tompkins
Clark C J	Gibney	Martin	Redington	Trainor

Collins	Glaser	Mason	Reisert	Vincent
Costello	Hanna	Matteson	Roche	Vroman
Cottle	Harburger	McEwan	Russell	Wallace
Coughtry	Hatch	McGuire	Sage	Weekes
Cowles	Hays	McKeown	Sanford	Weill
Cross	Hill	McLaughlin	Schmid A F	Whipple
Cullen	Hoes	Meyer G W	Schmid F	Wicke
Dale	Hoffman	Miles	Schulum	Williams
Davis	Holbert	Miller	Sears	Witter
DeGraw	Hubbard	Mitchell	Seligsberg	Wright
Delaney	Hutton	Mohring	Shoeneck	Zimmerman
Dillon	Ives			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 848) entitled "An act for the prevention of cruelty to animals, and directing the Erie county Society for the Prevention of Cruelty to Animals to do certain things." (Rec. No. 317.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Haight	Miller	Schmid F
Addis	Dillon	Hanna	Mitchell	Schulum
Adler	Donnelly	Hays	Mohring	Sears
Allds	Dutton	Ives	Mullany	Seligsberg
Armstrong	Egan	Johnson	Murphy	Sinsheimer
Axtell	Eldridge	Kavanaugh	Murray	Sloan
Baker	Ellis	Kelly	Myers J C	Smith E LaG
Boland	Evarts	Kelsey	Nixon	Stedman
Bondy	Farrell	Kullman	O'Connor	Sullivan

Brennan E C Finn	Laimbeer	Oliver	Taylor
Brennen J F Fish	Litchard	Palmer	Ten Eyck
Brewster Fitzgerald	Lowenthal	Paris	Tiffany
Brown Fuller	Mahar	Patton	Trainor
Burr Gale	Maloney	Phillips	Tremper
Cain Gallagher	Marshall	Pickett	Tripp
Chanler Gibney	Martin	Pierce	Van Hoesen
Clark A L Glaser	Mason	Raplee	Van Rens'laer
Clark C J Goodsell	Matteson	Redington	Vincent
Collins Graney	McEwan	Reisert	Whipple
Costello Green	McGuire	Roche	Wicke
Cottle Greenwood	McKeown	Russell	Williams
Coughtry Griggs	McLaughlin	Sage	Witter
Cowles Guider	Meyer G W	Sanford	Wright
Crabtree Hachemeis'r	Miles	Schmid A F	Zimmerman
Cross			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 868) entitled "An act to authorize the city of Buffalo to provide for the removal of the bodies, monuments and gravestones from the old burial ground situate on the east side of Masten street, between Best and North streets, in said city, to provide a suitable place for the interment of said bodies, reinter the same, and to reset the monuments and gravestones, and to issue bonds therefor, and to acquire the title in fee to such grounds for a park." (Rec. No. 290.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hays	Meyer G W	Seligsberg
Addis	DeGraw	Hill	Miles	Simmons
Adler	Delaney	Hoes	Miller	Sinsheimer
Allds	Dillon	Hoffman	Mitchell	Sloan
Armstrong	Donnelly	Holbert	Mohring	Smith E. La G
Axtell	Dutton	Ives	Mullany	Stedman
Baker	Egan	Johnson	Murray	Stoneman
Boland	Eldridge	Kavanaugh	Myers J C	Streifler
Bondy	Ellis	Kelly	Nixon	Sullivan
Brennan E C	Fordyce	Kelsey	O'Connor	Taylor
Cain	Fritz	Kullman	Oliver	Ten Eyck
Chanler	Fuller	Laimbeer	Palmer	Tiffany
Clark A L	Gale	Litchard	Paris	Tompkins
Clark C J	Gallagher	Lowenthal	Patton	Trainor
Collins	Gibney	Mahar	Raplee	Vincent
Costello	Glaser	Maloney	Redington	Vroman
Cottle	Griggs	Marshall	Reisert	Wallace
Coughtry	Guider	Martin	Roche	Weekes
Cowles	Hachemeis'r	Matteson	Russell	Weill
Crabtree	Haight	McEwan	Sage	Whipple
Cross	Hanna	McGuire	Sanford	Wicke
Cullen	Harburger	McKeown	Schmid A F	Williams
Dale	Hatch	McLaughlin	Schmid F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 797) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to fire-wardens' accounts." (Rec. No. 215.)

On motion of Mr. Miles, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hanna	Meyer G W	Schmid F
Addis	Dillon	Harburger	Miles	Schultz
Adler	Donnelly	Hatch	Miller	Schulum
Allds	Dutton	Hays	Mitchell	Sears
Armstrong	Egan	Hill	Mohring	Seligsberg
Axtell	Eldridge	Hoes	Mullany	Simmons
Baker	Ellis	Hoffman	Murphy	Sloan
Boland	Evarts	Hutton	Murray	Smith E La G
Bondy	Farrell	Ives	Myers J C	Stedman
Brennan E C	Finn	Johnson	Nixon	Stoneman
Brennen J F	Fish	Kavanaugh	O'Connor	Streifler
Brewster	Fitzgerald	Kelly	Oliver	Sullivan
Brown	Fordyce	Mahar	Palmer	Tremper
Burr	Fritz	Maloney	Paris	Tripp
Cain	Fuller	Marshall	Patton	Van Hoesen
Chanler	Graney	Martin	Perkins	Van Rens'aer
Clark A L	Green	Mason	Peterson	Vincent
Clark C J	Greenwood	Matteson	Phillips	Vroman
Collins	Griggs	McEwan	Russell	Wallace
Costello	Guider	McGuire	Sage	Weekes
Davis	Hachemeis'r	McKeown	Sanford	Weill
DeGraw	Haight	McLaughlin	Schmid A F	Whipple

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 648) entitled "An act to amend chapter 765 of the Laws of 1857, entitled 'An act in relation to common schools in the village of Penn Yan,' relative to the time of holding annual school meetings." (Rec. No. 165.)

On motion of Mr. Raplee, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ YEAS 108 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Cowles	Harburger	Murphy	Sears
Addis	Dillon	Hatch	Murray	Seligsberg
Adler	Donnelly	Hays	Myers J C	Schoeneck
Allds	Dutton	Hill	Nixon	Simmons
Armstrong	Egan	Hoes	O'Connor	Sinsheimer
Axtell	Eldridge	Hutton	Oliver	Sloan
Baker	Ellis	Ives	Palmer	Smith E LaG
Boland	Evarts	Johnson	Paris	Stedman
Bondy	Farrell	Kavanaugh	Patton	Stoneman
Brennan E C	Finn	Mahar	Perkins	Streifler
Brennen J F	Fish	Maloney	Peterson	Taylor
Brewster	Fitzgerald	Marshall	Phillips	TenEyck
Brown	Fordyce	Martin	Pickett	Tiffany
Burr	Fritz	Mason	Pierce	Tompkins
Cain	Fuller	Matteson	Post	Trainor
Chanler	Green	McEwan	Roche	Tremper
Clark A L	Greenwood	McGuire	Russell	Vincent
Clark C J	Griggs	Miles	Schmid A F	Vroman
Collins	Guider	Miller	Schmid F	Wallace
Costello	Hachemeis'r	Mitchell	Schultz	Weekes
Cottle	Haight	Mohring	Schulum	Weill
Coughtry	Hanna	Mullany		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 115) entitled "An act making appropriation and authorizing the expenditure of certain moneys for the further improvement of Sing Sing State prison." (Rec. No. 240.)

On motion of Mr. Graney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Guider	Mullany	Sears
Addis	Dillon	Hatchemeister	Murphy	Seligsberg
Adler	Donnelly	Haight	Murray	Shoeneck
Allds	Dutton	Hanna	Meyers G W	Shultz
Armstrong	Egan	Harburger	Nixon	Simmons
Axtell	Eldridge	Hatch	O'Connor	Sinsheimer
Baker	Ellis	Hays	Oliver	Sloan
Boland	Evarts	Hill	Palmer	Smith E LaG
Bondy	Farrell	Kavanaugh	Paris	Stedman
Brennan EC	Finn	Kelly	Patton	Stoneman
Brennen J F	Fish	Kelsey	Perkins	Streifler
Brewster	Fitzgerald	Kullman	Peterson	Sullivan
Clark A L	Fordyce	Matteson	Phillips	Taylor
Clark C J	Gallagher	McEwan	Pickett	Ten Eyck
Collins	Gibney	McGuire	Pierce	Tiffany
Costello	Glaser	McKeown	Redington	Tompkins
Cottle	Goodsell	McLaughlin	Reisert	Van Rens'laer
Coughtry	Graney	Miles	Roche	Vincent
Cowles	Green	Miller	Russell	Wallace
Crabtree	Greenwood	Mitchell	Sage	Weeks
Cross	Griggs	Mohring	Sanford	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 990) entitled "An act making an appropriation for Thomas Asylum for Orphan and Destitute Indian Children." (Rec. No. 353.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Harburger	Mullany	Sears
Addis	DeGraw	Hatch	Murphy	Seligsberg
Adler	Delaney	Hays	Murray	Simmons
Allds	Dillon	Hill	Myers J C	Sinsheimer
Armstrong	Donnelly	Hutton	Nixon	Sloan
Axtell	Dutton	Ives	O'Connor	Smith E LaG
Baker	Egan	Johnson	Oliver	Stedman
Boland	Eldridge	Kavanaugh	Palmer	Stoneman
Bondy	Ellis	Kelly	Paris	Streifler
Brennan EC	Fritz	Litchard	Patton	Sullivan
Brennen J F	Fuller	Lowenthal	Perkins	Taylor
Brewster	Gale	Marshall	Peterson	Ten Eyck
Brown	Gallagher	Martin	Phillips	Tiffany
Burr	Gibney	Mason	Pickett	Tompkins
Cain	Glaser	Matteson	Post	Trainor
Chanler	Goodsell	McEwan	Reisert	Tremper
Clark A L	Graney	McGuire	Roche	Van Rens'aer
Clark C J	Green	McKeown	Russell	Vincent
Collins	Greenwood	McLaughlin	Sage	Vroman
Costello	Griggs	Meyer G W	Sanford	Wallace
Crabtree	Guider	Miles	Schmid A F	Weekes
Cross	Hachemeis'r	Miller	Schmid F	Weill
Cullen	Haight	Mitchell	Schultz	Whipple
Dale	Hanna	Mohring	Schulum	Wicke

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 935) entitled "An act to amend chapter 612 of the Laws of 1897, entitled 'An act in relation to negotiable instruments, constituting chapter 50 of the general laws,' in relation to the correction of manifest errors therein." (Rec. No. 285.)

On motion of Mr. Brown, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	110	}
{	NOES	00	}

Those who voted in the affirmative, were

Allds	Davis	Hanna	Mullany	Schultz
Armstrong	DeGraw	Harburger	Murphy	Simmons
Axtell	Delaney	Holbert	Murray	Sinsheimer
Baker	Dillon	Hubbard	Myers J C	Sloan
Boland	Donnelly	Hutton	Nixon	Smith E LaG
Bondy	Dutton	Ives	O'Connor	Stedman
Brennan E C	Egan	Kelsey	Oliver	Stoneman
Brennen J F	Eldridge	Kullman	Palmer	Streifler
Brewster	Ellis	Laimbeer	Peterson	Sullivan
Brown	Evarts	Marshall	Phillips	Taylor
Burr	Fitzgerald	Martin	Pickett	Ten Eyck
Cain	Fordyce	Mason	Pierce	Tiffany
Chanler	Fritz	Matteson	Post	Tripp
Clark A L	Fuller	McEwan	Raplee	Van Hoesen
Clark C J	Gale	McGuire	Redington	Van Rens'aer
Cottle	Graney	McKeown	Reisert	Vincent
Coughtry	Green	McLaughlin	Roche	Vroman
Cowles	Greenwood	Meyer G W	Schmid F	Weekes
Crabtree	Griggs	Miles	Schulum	Weill
Cross	Guider	Miller	Sears	Williams
Cullen	Hachemeis'r	Mitchell	Seligsberg	Witter
Dale	Haight	Mohring	Shoeneck	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 713) entitled "An act to amend section 1921 of the Code of Civil Procedure, relative to actions by or against an unincorporated association." (Rec. No. 249.)

On motion of Mr. Trainor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hachemeist'r	Miller	Sears
Addis	DeGraw	Haight	Mitchell	Seligsberg
Adler	Delaney	Hanna	Mohring	Shoeneck
Allds	Dillon	Harburger	Mullany	Sinsheimer
Armstrong	Donnelly	Hays	Murphy?	Sloan
Axtell	Dutton	Kavanaugh	Nixon	Smith E LaG
Baker	Egan	Kelly	O'Connor	Stedman
Boland	Eldridge	Kelsey	Oliver	Stoneman
Bondy	Ellis	Kullman	Palmer	Streifler
Brennan E C	Evarts	Laimbeer	Paris	Sullivan
Brennen J F	Farrell	Litchard	Patton	Taylor
Brewster	Fritz	Lowenthal?	Perkins	Ten Eyck
Brown	Fuller	Maloney	Peterson	Trainor
Burr	Gale	Marshall	Phillips	Tremper
Cain	Gallagher	Martin	Pickett	Tripp
Chanler	Gibney	Mason	Pierce	Van Hoesen
Clark A L	Glaser	Matteson	Post	Van Rens'aer
Clark C J	Goodsell	McEwan	Raplee	Wallace
Collins	Graney	McGuire	Redington	Weekes
Costello	Green	McKeown	Reisert	Weill
Cottle	Greenwood	McLaughlin	Schmid A F	Williams
Cross	Griggs	Meyer G W	Schmid F	Witter
Cullen	Guider	Miles	Schulumb	Zimmerman
Dale				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 530) entitled "An act to release to Louisa C. Meyer all the title of the people of the State to certain lands at Farmingdale, Queens county, this State." (Rec. No. 216.)

On motion of Mr. Post, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Allds	Donnelly	Hoffman	Murphy	Sears
Armstrong	Dutton	Holbert	Murray	Seligsberg
Axtell	Egan	Hubbard	Myers J C	Shoeneck
Baker	Eldridge	Hutton	Nixon	Simmons
Boland	Ellis	Kelly	O'Connor	Sinsheimer
Bondy	Evarts	Kelsey	Oliver	Sloan
Brennan E C	Fitzgerald	Kullman	Palmer	Smith E La G
Brennan J F	Fordyce	Lainbeer	Paris	Stedman
Brewster	Fritz	Litchard	Patton	Stoneman
Brown	Fuller	Lowenthal	Perkins	Streifler
Burr	Gale	Martin	Peterson	Sullivan
Cain	Gallagher	Mason	Phillips	Taylor
Chanler	Gibney	Matteson	Pickett	Ten Eyck
Clark A L	Glaser	McEwan	Pierce	Tompkins
Clark C J	Goodsell	McGuire	Post	Trainor
Collins	Graney	McKeown	Raplee	Tremper
Costello	Green	McLaughlin	Redington	Tripp
Cottle	Greenwood	Meyer G W	Reisert	Whipple
Coughtry	Griggs	Miles	Sanford	Wicke
Dale	Guider	Miller	Schmid A F	Williams
Davis	Hachemeis'r	Mitchell	Schmid F	Witter
DeGraw	Haight	Mohring	Schultz	Wright
Delaney	Hanna	Mullany	Schulum	Zimmerman
Dillon	Harburger			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 830) entitled "An act to provide for the election and to prescribe the terms of town trustees and of additional justices of the peace, assessors and constables in the town of Brookhaven, county of Suffolk." (Rec. No. 232.)

On motion of Mr. Post, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Armstrong	Dutton	Hubbard	Murphy	Shoeneck
Axtell	Egan	Hutton	Murray	Sinsheimer
Baker	Eldridge	Ives	Myers J C	Sloan
Boland	Ellis	Johnson	Nixon	Smith E La G
Bondy	Evarts	Kavanaugh	O'Connor	Stedman
Brennan E C	Farrell	Kelly	Perkins	Stoneman
Brennen J F	Finn	Kelsey	Peterson	Streifler
Brewster	Fish	Kullman	Phillips	Sullivan
Brown	Fuller	Laimbeer	Pickett	Taylor
Burr	Gale	Litchard	Pierce	Ten Eyck
Cain	Gallagher	Mahar	Post	Tompkins
Chanler	Gibney	Maloney	Raplee	Trainor
Clark A L	Glaser	Marshall	Redington	Tremper
Clark C J	Goodsell	Martin	Reisert	Tripp
Collins	Graney	Mason	Roche	Van Hoesen
Coughtry	Green	McGuire	Russell	Van Rens'aer
Cowles	Greenwood	McKeown	Sage	Vincent
Crabtree	Griggs	McLaughlin	Sanford	Vroman
Cross	Guider	Meyer G W	Schmid A F	Wallace
Cullen	Hachemeis'r	Miles	Schmid F	Williams
Dale	Haight	Miller	Schultz	Witter
Davis	Hanna	Mitcheil	Schulum	Wright
DeGraw	Harburger	Mohring	Sears	Zimmerman
Delaney	Hatch	Mullany	Seligsberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 824) entitled "An act to amend chapter 33 of the Laws of 1898, entitled 'An act to amend chapter 379 of the Laws of 1897, entitled An act to revise, amend and consolidate the several acts relating to the village of Lancaster and to repeal all acts and parts of acts relating thereto.'" (Rec. No. 267.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hatch	Murphy	Seligsberg
Addis	Davis	Hoes	Murray	Shoeneck
Adler	Eldridge	Hoffman	Myers J C	Steadman
Allds	Ellis	Holbert	Nixon	Stoneman
Armstrong	Evarts	Hubbard	O'Connor	Streifler
Axtell	Farrell	Hutton	Oliver	Sullivan
Baker	Finn	Litchard	Palmer	Taylor
Boland	Fish	Lowenthal	Paris	Ten Eyck
Bondy	Fitzgerald	Mahar	Patton	Tiffany
Brennan E C	Fordyce	Maloney	Perkins	Tompkins
Brennen J F	Fritz	Marshall	Peterson	Trainor
Brewster	Fuller	Martin	Phillips	Tremper
Brown	Gale	Mason	Pickett	Tripp
Burr	Gallagher	Matteson	Raplee	Van Hoesen
Clark A L	Goodsell	McEwan	Redington	Vroman
Clark C J	Graney	McGuire	Reisert	Wallace
Collins	Green	McKeown	Roche	Weekes
Costello	Greenwood	McLaughlin	Russell	Weill
Cottle	Griggs	Meyer G W	Sage	Whipple
Coughtry	Guider	Miles	Sanford	Wicke
Cowles	Hachemeis'r	Miller	Schmid A F	Williams
Crabtree	Haight	Mitchell	Schmid F	Witter
Cross	Hanna	Mohring	Schulum	Wright
Cullen	Harburger	Mullany	Sears	Zimmerman

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1057) entitled "An act in relation to certain lands owned by The City of New York, in the borough of Brooklyn, known as the Wallabout lands, and the improvement, leasing and maintenance thereof." (Rec. No. 324.)

On motion of Mr. Davis, said bill was read the second time and ordered to third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hanna	Miles	Seligsberg
Addis	Donnelly	Harburger	Miller	Shoeneck
Adler	Dutton	Hatch	Mitchell	Simmons
Allds	Egan	Hoes	Mohring	Smith E LaG
Armstrong	Eldridge	Hoffman	Mullany	Stedman
Axtell	Ellis	Holbert	Murphy	Stoneman
Baker	Evarts	Hubbard	Murray	Streifler
Boland	Farrell	Hutton	Myers J C	Sullivan
Bondy	Finn	Kelsey	Palmer	Taylor
Brennan E C	Fish	Kullman	Paris	Ten Eyck
Brennen J F	Fitzgerald	Laimbeer	Patton	Tiffany
Brewster	Fordyce	Litchard	Perkins	Tompkins
Brown	Gale	Lowenthal	Peterson	Trainor
Burr	Gallagher	Mahar	Phillips	Tremper
Cain	Gibney	Maloney	Pickett	Tripp
Chanler	Glaser	Marshall	Pierce	Van Hoesen
Clark A L	Goodsell	Martin	Post	Van Rens'aer
Clark C J	Graney	Mason	Raplee	Vincent
Crabtree	Green	Matteson	Redington	Vroman
Cross	Greenwood	McEwan	Schmid A F	Wallace
Cullen	Griggs	McGuire	Schmid F	Weekes
Dale	Guider	McKeown	Schultz	Weill
Davis	Hachemeister	McLaughlin	Schulum	Whipple
DeGraw	Haight	Meyer G W	Sears	Zimmerman
Delaney				

Ordered that the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1029) entitled "An act for the relief of the Mount Sinai Hospital of The City of New York, and to authorize a change of a lease from the mayor, aldermen and commonalty of The City of New York to the Mount Sinai Hospital to a grant, and to authorize the sale or leasing of said property by the Mount Sinai Hospital." (Rec. No. 327.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cross	Green	Meyer G W	Schmid F
Addis	Cullen	Hatch	Miles	Schulum
Adler	Dale	Hays	Miller	Sears
Allds	Davis	Hill	Mitchell	Seligsberg
Armstrong	DeGraw	Hoes	Nixon	Sloan
Axtell	Delaney	Hoffman	O'Connor	Smith E LaG
Baker	Dutton	Holbert	Oliver	Stedman
Boland	Egan	Kavanaugh	Palmer	Stoneman
Bondy	Eldridge	Kelly	Paris	Streifler
Brennan E C	Ellis	Kelsey	Patton	Sullivan
Brennen J F	Finn	Kullman	Perkins	Taylor
Brewster	Fish	Laimbeer	Peterson	Ten Eyck
Brown	Fitzgerald	Mahar	Phillips	Tremper
Burr	Fordyce	Maloney	Pickett	Tripp
Cain	Fritz	Marshall	Pierce	Van Hoesen
Clark C J	Fuller	Martin	Post	Van Rens'aer
Collins	Gale	Mason	Reisert	Vincent
Costello	Gallagher	Matteson	Roche	Vroman
Cottle	Gibney	McEwan	Russell	Wallace
Coughtry	Glaser	McGuire	Sage	Witter
Cowles	Goodsell	McKeown	Sanford	Wright
Crabtree	Graney	McLaughlin	Schmid A F	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 858) entitled "An act in relation to investments by the commissioners of the sinking fund of The City of New York." (Rec. No. 281.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 119 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hubbard	Murphy	Seligsberg
Addis	Dillon	Hutton	Murray	Shoeneck
Adler	Donnelly	Ives	Myers J C	Simmons
Allds	Dutton	Johnson	Nixon	Sinsheimer
Armstrong	Egan	Kavanaugh	O'Connor	Sloan
Axtell	Eldridge	Kelly	Oliver	Smith E LaG
Baker	Ellis	Kelsey	Palmer	Stedman
Boland	Evarts	Kullman	Perkins	Stoneman
Bondy	Farrell	Laimbeer	Peterson	Tremper
Brennan E C	Fuller	Litchard	Phillips	Tripp
Brennen J F	Gale	Lowenthal	Pickett	Van Hoesen
Brewster	Gallagher	Mahar	Pierce	Van Rens'aer
Brown	Gibney	Maloney	Post	Vincent
Burr	Glaser	Marshall	Raplee	Vroman
Clark A L	Goodsell	Matteson	Redington	Wallace
Clark C J	Graney	McEwan	Reisert	Weekes
Collins	Green	McGuire	Roche	Weill
Costello	Greenwood	McKeown	Russell	Whipple
Cottle	Griggs	Meyer G W	Sage	Wicke
Coughtry	Guider	Miles	Sanford	Williams
Cowles	Hachemeis'r	Miller	Schmid A F	Witter
Crabtree	Haight	Mitchell	Schmid F	Wright
Cross	Hanna	Mohring	Schultz	Zimmerman
Cullen	Harburger	Mullany	Schulum	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Ackert	Egan	Holbert	Murray	Shoeneck
Adler	Eldridge	Hubbard	Myers J C	Simmons
Allds	Ellis	Hutton	Nixon	Sinsheimer
Armstrong	Evarts	Ives	O'Connor	Sloan
Axtell	Farrell	Johnson	Oliver	Smith E. LaG
Baker	Finn	Kelly	Palmer	Stedman
Boland	Fish	Kelsey	Paris	Stoneman

Brennan E C	Fordyce	Kullman	Patton	Streifler
Brewster	Fritz	Laimbeer	Perkins	Taylor
Burr	Fuller	Litchard	Peterson	Ten Eyck
Clark A L	Gale	Lowenthal	Phillips	Tiffany
Clark C J	Gallagher	Mahar	Pierce	Tompkins
Collins	Gibney	Maloney	Post	Trainor
Costello	Glaser	Marshall	Raplee	Tremper
Cottle	Goodsell	Martin	Redington	Tripp
Coughtry	Graney	Mason	Reisert	Van Hoesen
Cowles	Green	Matteson	Russell	Van Rens'aer
Crabtree	Greenwood	McEwan	Sage	Vincent
Cross	Guider	McLaughlin	Sanford	Vroman
Cullen	Haight	Meyer G W	Schmid A F	Wallace
Davis	Hanna	Miles	Schmid F	Weekes
DeGraw	Harburger	Miller	Schultz	Wicke
Delaney	Hatch	Mitchell	Schulum	Witter
Dillon	Hays	Mullany	Sears	Wright
Donnelly	Hill	Murphy	Seligsberg	Zimmerman
Dutton	Hoes			127

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Bondy, Fitzgerald, Kavanaugh and Williams, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the Senate bill (No. 660) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' and the several acts amendatory thereof and supplemental thereto" (Rec. No. 171), with a message that said bill was duly passed March 7, 1898, a majority of all the Senators elected voting in favor thereof, three-fifths being present, and was transmitted to the Assembly, and returned by the Assembly March 9, with a message that the Assembly had concurred in the passage of the same. Said bill was thereupon on March 9 transmitted to the mayor of the city of Lockport for a hearing pursuant to provisions of the Constitution, and was returned by said mayor March 23 with a message that said bill had not been accepted by a majority of the common council, the legislative body of said city, but had been accepted by the mayor. Said bill was again passed by the Senate, the President stating the ques-

tion to be "Shall this bill become a law notwithstanding the objections of the common council of the city of Lockport, said bill having been accepted by the mayor of the said city?" and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, three-fifths being present.

Mr. Speaker stated the question to be "Shall this bill become a law notwithstanding the objection of the common council of the City of Lockport, said bill having been accepted by the mayor of said city?"

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 20 }

Those who voted in the affirmative, were

Adler	Ellis	Hays	Meyer G W	Schmid F
Allds	Evarts	Hill	Miles	Schulum
Armstrong	Farrell	Hoes	Miller	Sears
Axtell	Finn	Hoffman	Mitchell	Shoeneck
Baker	Fish	Holbert	Mohring	Simmons
Bondy	Fitzgerald	Hubbard	Mullany	Sloan
Brennan E C	Fordyce	Ives	Murphy	Smith E LaG
Brewster	Fritz	Johnson	Nixon	Stedman
Burr	Fuller	Kavanaugh	Oliver	Stoneman
Clark A L	Gale	Kelly	Paris	Sullivan
Clark C J	Gallagher	Kelsey	Patton	Taylor
Collins	Gibney	Laimbeer	Perkins	Ten Eyck
Costello	Glaser	Litchard	Peterson	Tiffany
Cottle	Goodsell	Lowenthal	Phillips	Trainer
Coughtry	Graney	Mahar	Pierce	Tremper
Cowles	Greenwood	Marshall	Post	Tripp
Cross	Griggs	Martin	Raplee	Van Rens'aer
Davis	Guider	Mason	Redington	Vincent
DeGraw	Hachemeis'r	Matteson	Roche	Wallace
Delaney	Haight	McEwan	Russell	Weekes
Dillon	Hanna	McGuire	Sage	Witter
Dutton	Harburger	McKeown	Sanford	Zimmerman
Eldridge	Hatch	McLaughlin	Schmid A F	

Those who voted in the negative, were

Boland	Maloney	Pickett	Sinsheimer	Vroman
Brennen J F	Murray	Reisert	Streifler	Weill
Cain	Myers J C	Seligsberg	Tompkins	Wicke
Hutton	Palmer	Schultz	Van Hoesen	Wright

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the Senate bill (No. 1049) entitled "An act to prevent evils and abuses in connection with the placing out of children" (Rec. No. 332), which was read the first time.

On motion of Mr. Bondy, and by unanimous consent, said bill was read the second time and ordered to a third reading,

On motion of Mr. Bondy, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 103 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hoes	Nixon	Sinsheimer
Addis	Dillon	Hoffman	O'Connor	Sloan
Adler	Dutton	Hubbard	Oliver	Smith E La G
Armstrong	Egan	Hutton	Palmer	Stedman
Axtell	Eldridge	Ives	Paris	Stoneman
Baker	Ellis	Kavanaugh	Patton	Streifler
Brennan E C	Evarts	Kelsey	Perkins	Sullivan
Brennen J F	Farrell	Kullman	Peterson	Taylor
Brewster	Finn	Litchard	Phillips	Tiffany
Brown	Fitzgerald	Lowenthal	Pierce	Tompkins
Burr	Fritz	Mahar	Post	Trainor
Cain	Gale	Maloney	Raplee	Tremper
Chanler	Gallagher	Marshall	Redington	Tripp
Clark A L	Gibney	Martin	Reisert	Van Hoesen
Clark C J	Glaser	Mason	Roche	Van Rens'aer
Collins	Goodsell	McEwan	Sage	Vincent
Costello	Green	McGuire	Sanford	Vroman
Cottle	Greenwood	McKeown	Schmid A F	Wallace
Coughtry	Griggs	Meyer G W	Schmid F	Weekes

Cowles	Guider	Miles	Schultz	Weill
Crabtree	Hachemeis'r	Miller	Schulum	Wicke
Cross	Haight	Mitchell	Sears	Williams
Cullen	Hanna	Mohring	Seligsberg	Wright
Dale	Harburger	Mullany	Shoeneck	Zimmerman
Davis	Hatch	Murphy	Simmons	
DeGraw	Hays	Murray		

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. E. C. Brennan offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That 15,000 extra copies of the primary bill (No. 1878) shall be printed for the use of the members of the Senate and Assembly.

Said resolution was referred to the committee on rules.

Mr. F. Schmid offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That 3,000 copies of the primary bill (No. 1878) as amended shall be printed in German.

Said resolution was referred to the committee on rules.

Mr. Litchard offered for the consideration of the House a resolution, in the words following:

Resolved, (if the Senate concur), That there be printed by the State printer 10,000 copies of the report of the New York State Agricultural Society for the year 1897.

Said resolution was referred to the committee on rules.

Mr. Simmons offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 816, entitled "An act to amend the Highway Law, relative to commutations of labor on highways" (Int. No. 193), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Brown offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 651, entitled "An act to amend section 3 of chapter 107 of the Laws of 1887, entitled 'An act to incorporate the Nyaek fire department, and to exempt its property from taxation'" (Int. No. 599), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Addis, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows :

"An act to authorize the city of Albany to open Montgomery street in said city between Steuben street and Maiden lane." (No. 1794, Int. No. 1216.)

"An act to amend the Transportation Corporation Law, and the act amendatory thereof, relative to gates, rates of toll and exemption." (No. 1793, Int. No. 853.)

The Senate sent for concurrence a resolution, in the words following :

Resolved (if the Assembly concur), That Senate bill No. 312, entitled "An act to mature debts owing by insolvents" (Rec. No. 41), be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate with a message that the Assembly have concurred in the passage of the same.

The Senate returned the following entitled bills with a message, that they have concurred in the passage of the same :

"An act to repeal section 249 in article 10 of chapter 974 of the Laws of 1895, relating to the possession and sale of game." (No. 1366, Int. No. 537.)

"An act to authorize the town board of the town of Manilus, in Onondaga county, to change the location of the soldiers' monument in said town." (No. 1264, Int. No. 1019.)

"An act to repeal chapter 355 of the Laws of 1877, entitled 'An act to authorize the sale of lands for the nonpayment of taxes and for the collection of unpaid taxes in the several towns of the county

of Putnam,' and to legalize and affirm certain acts of the town officials in the several towns of the county of Putnam, in relation to matters of taxation." (No. 1470, Int. No. 1152.)

"An act to confer upon The Hudson River Power Transmission Company the power to acquire rights of way in Saratoga and Schenectady counties, in certain instances." (No. 1309, Int. No. 981.)

"An act making an appropriation for paying the interest on the canal debt." (No. 1266, Int. No. 1021.)

"An act to provide for the drainage of the Conewango valley in Cattaraugus and Chautauqua counties, and making an appropriation therefor." (No. 1100, Int. No. 913.)

"An act to amend the Fisheries, Game and Forest Law, in relation to the close season for quail, the possession of quail and the taking of fish in the waters of certain lakes." (No. 1435, Int. No. 565.)

"An act to amend the Agricultural Law, relative to the inspection of dairy products." (No. 1511, Int. No. 259.)

"An act to incorporate 'The Newtown and Flushing Canal Company.'" (No. 1488, Int. No. 919.)

"An act to provide for the repair and improvement of the State armory at Elmira, and making an appropriation therefor." (No. 1097, Int. No. 910.)

"An act to amend the Highway Law, relating to the payment of money by the State for aid to towns in repairing highways, when the money system is adopted by such towns." (No. 1113, Int. No. 350.)

"An act to amend chapter 481 of the Laws of 1897, entitled 'An act to amend the Town Law, and the acts amendatory thereof, relating to the holding of biennial town meetings,' and providing for the election of assessors and commissioners of highways, in the spring of 1899." (No. 1575, Int. No. 852.)

"An act making appropriation for constructing a hoist bridge over the Erie canal, on Catherine and Almond streets in the city of Syracuse." (No. 51, Int. No. 51.)

Ordered, That the Clerk transmit a certified copy thereof to the Mayor of the city of Syracuse.

Ordered, That the Clerk deliver said bills to the Governor.

"An act to amend chapter 905 of the Laws of 1896, entitled 'An act to incorporate the city of Watervliet.'" (No. 1420, Int. No. 1057.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Watervliet.

“An act to enable the city of Albany to raise money for the grading and improvement of Beaver park.” (No. 1526, Int. No. 928.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Albany.

“An act for the relief of the Mount Sinai Hospital of The City of New York, and to authorize the change of a lease from the mayor, aldermen and commonalty of The City of New York to the Mount Sinai Hospital to a grant and to authorize the sale or leasing of the said property by the Mount Sinai Hospital.” (No. 1742, Int. No. 1314.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to amend the Transportation Corporations Law, in relation to the inspection of gas meters, and providing for a deputy inspector in the city of Jamestown.” (No. 835, Int. No. 741.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

“An act to amend chapter 414 of the Laws of 1897, entitled ‘An act in relation to villages, constituting chapter 21 of the general laws,’ in relation to furnishing water to other municipalities.” (No. 396, Int. No. 383.)

“An act to amend chapter 272 of the Laws of 1864, entitled ‘An act to incorporate the trustees of the Masonic Hall and Asylum Fund,’ and the act amendatory thereof.” (No. 1602, Int. No. 208.)

“An act to amend chapter 338, Laws of 1893, entitled ‘An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,’ relative to maple sugar and syrup.” (No. 978, Int. No. 718.)

“An act to amend section 120 of chapter 689 of the Laws of 1892, entitled ‘An act in relation to banking corporations,’ relative to appraisals.” (No. 842, Int. No. 748.)

“An act to amend chapter 269 of the Laws of 1897, entitled ‘An act to provide for the construction and maintenance of bridges over the waters between cities and towns or incorporated villages in said towns.’” (No. 971, Int. No. 836.)

“An act to amend the County Law, in relation to business hours in clerks’ offices.” (No. 648, Int. No. 183.)

Ordered, That the Clerk deliver said bills to the Governor.

“An act to amend chapter 568 of the Laws of 1895, entitled ‘An act to incorporate the city of Johnstown.’” (No. 1559, Int. No. 1200.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Johnstown.

“An act increasing the jurisdiction of the City Court of Albany, and relative to a jury list in said court, and regulating the practice therein.” (No. 1609, Int. No. 787.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Albany.

“An act to amend chapter 26 of the Laws of 1885, entitled ‘An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,’ as amended by chapter 704 of the Laws of 1896, relating to the fire department, and to repeal section 7 of chapter 704 of the Laws of 1896, relating to the operation of pension fund.” (No. 662, Int. No. 49.)

“An act to further amend chapter 26 of the Laws of 1885, entitled ‘An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city.’” (No. 1610, Int. No. 1149.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Syracuse.

The Senate returned the following entitled Senate bills with a message that they have concurred in the amendments of the Assembly thereto :

“An act to authorize the appointment of a commission to inquire into the expediency of revising and amending the statutes relating to the taxation of property in the State of New York, and to suggest legislation thereon.” (No. 267, Assembly reprint No. 1076; Rec. No. 24.)

“An act to revise, amend and consolidate the several acts relating to the village of Fulton, in the county of Oswego, and to repeal certain acts in relation thereto.” (No. 496, Assembly reprint No. 1412; Rec. No. 101.)

“An act to promote education in forestry, to encourage and provide for the establishment of a college of forestry at Cornell University, and making an appropriation therefor.” (No. 654, Assembly reprint No. 1730; Rec. No. 129.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, the following entitled bills, with a message that they have concurred in the passage of the same :

“An act to amend the Highway Law, relative to commutations of labor on highways.” (No. 816, Int. No. 193.)

“An act to amend section 3 of chapter 107 of the Laws of 1887, entitled ‘An act to incorporate the Nyack fire department and to exempt its property from taxation.’ ” (No. 657, Int. No. 599.)

Ordered, That the Clerk deliver said resolutions to the Governor.

A communication was received from Hon. Jerome DeWitt, mayor of the city of Binghamton, returning the bill (No. 724) entitled “An act to amend chapter 294 of the Laws of 1869, entitled ‘An act to incorporate the fire department of the city of Binghamton,’ and the act amendatory thereof, relative to appropriation for the entertainment of the New York State Firemen’s Association” (Int. No. 457), with a message that the mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented the twenty-sixth annual report of the Le Conteulx St. Mary’s Institution for the Improved Instruction of Deaf Mutes at Buffalo ; which was laid upon the table and ordered printed.

(See Document.)

Also, the annual report of the State Geologist ; which was laid upon the table and ordered printed.

(See Document.)

Also, the report of the Commissioners of Statutory Revision ; which was laid upon the table and ordered printed.

(See Document.)

Mr. Kelly gave notice that he requests that Senate bill (No. 854) entitled “An act to make an appropriation for the payment of the judgments of the Court of Claims in claims arising on account of the canals of this State” (Rec. No. 237), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests that Senate bill (No. 855) entitled “An act to make an appropriation for the payment of the

judgments of the Court of Claims" (Rec. No. 238), be referred to the committee on rules, to be made a special order.

Mr. Russell gave notice that he requests that Senate bill (No. 1048) entitled "An act to authorize the Rensselaer Polytechnic Institute to regulate and prescribe terms of admission to its courses of study and to grant degrees and certificates" (Rec. No. 340), be referred to the committee on rules, to be made a special order.

Mr. E. L. Smith gave notice that he requests that Senate bill (No. 899) entitled "An act to authorize the board of trustees of the village of Mohawk, in the county of Herkimer, to issue bonds in payment of the existing indebtedness of said village" (Rec. No. 345), be referred to the committee on rules, to be made a special order.

Mr. Goodsell gave notice that he requests that the bill (No. 1699) entitled "An act to reappropriate money for expenses, repairs and betterments of the State armory at Newburgh, as provided for by chapter 949 of the Laws of 1896" (Int. No. 1285), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests that the bill (No. 1682) entitled "An act to authorize the city of Syracuse to levy a tax to provide for the means to defray the cost of the completion of a building for fire purposes, in the Fifteenth ward of the city of Syracuse, and for equipping the same" (Int. No. 1268), be referred to the committee on rules, to be made a special order.

Mr. Mason gave notice that he requests that the bill (No. 1407) entitled "An act to incorporate the Rome Water Power Company of Rome, Oneida county, New York" (Int. No. 1143), be referred to the committee on rules, to be made a special order.

Mr. Hoes gave notice that he requests the bill (No. 1791) entitled "An act in relation to the village of Chatham, in Columbia county" (Int. No. 1223), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests that the bill (No. 1794) entitled "An act to authorize the city of Albany to open Montgomery street in said city between Steuben street and Maiden Lane" (Int. No. 1215), be referred to the committee on rules, to be made a special order.

Mr. Post gave notice that he requests that the bill (No. 1784) entitled "An act to amend the Public Health Law, and the act amendatory thereof, in relation to the practice of dentistry" (Int.

No. 1129), be referred to the committee on rules, to be made a special order.

Mr. Russell gave notice that he requests that the bill (No. 1698) entitled "An act to amend the Highway Law, in relation to assessment for highway labor" (Int. No. 1284), be referred to the committee on rules, to be made a special order.

Mr. Reisert gave notice that he requests that the bill (No. 1670) entitled "An act to amend the Fisheries, Game and Forest Law, relative to clam beds" (Int. No. 1238), be referred to the committee on rules, to be made a special order.

Mr. Paris gave notice that he requests that the bill (No. 1783) entitled "An act to amend section 3 of chapter 116 of the Laws of 1897, entitled 'An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office'" (Int. No. 471), be referred to the committee on rules, to be made a special order.

Mr. DeGraw gave notice that he requests that the bill (No. 1728) entitled "An act to amend section 20 of chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State Racing Commission,' relating to collection of tax" (Int. No. 1003), be referred to the committee on rules, to be made a special order.

Mr. Nixon gave notice that he requests that the bill (No. 1787) entitled "An act in relation to the militia, constituting chapter 16 of the general laws" (Int. No. 953), be referred to the committee on rules, to be made a special order.

Mr. Peterson gave notice that he requests that the bill (No. 1829) entitled "An act to amend chapter 84 of the Laws of 1886, entitled 'An act to incorporate the city of Jamestown,' and the several acts amendatory thereof" (Int. No. 1301), be referred to the committee on rules, to be made a special order.

Mr. Tremper gave notice that he requests that Senate bill (No. 363) entitled "An act to amend the Game Law, and the acts amendatory thereof, relating to the hunting and killing of deer in the counties of Ulster, Greene, Delaware and Sullivan" (Rec. No. 97), be referred to the committee on rules, to be made a special order.

Mr. Sinsheimer gave notice that he requests that Senate bill (No. 589) entitled "An act for the relief of the Evangelical Lutheran

Church of the Atonement, of The City of New York, a religious corporation" (Rec. No. 222), be referred to the committee on rules, to be made a special order.

Mr. Ives gave notice that he requests that Senate bill (No. 1055) entitled "An act to amend the Consolidated School Law, and the acts amendatory thereof, relative to library books" (Rec. No. 334), be referred to the committee on rules, to be made a special order.

Mr. C. J. Clark gave notice that he requests that Senate bill (No. 880) entitled "An act to amend the Code of Civil Procedure, section 191, relative to appeals to the Court of Appeals" (Rec. No. 244), be referred to the committee on rules, to be made a special order.

Mr. Adler gave notice that he requests that Senate bill (No. 761) entitled "An act to amend chapter 119, Laws of 1869, entitled 'An act to incorporate the American Museum of Natural History,' relative to its charter" (Rec. No. 208), be referred to the committee on rules, to be made a special order.

Mr. Adler gave notice that he requests that Senate bill (No. 667) entitled "An act to legalize the acts of former justices of the district courts in The City of New York, and provide for the payment of compensation for their services, relative to Municipal Courts of New York city" (Rec. No. 209), be referred to the committee on rules, to be made a special order.

Mr. C. J. Clark gave notice that he requests that Senate bill (No. 478) entitled "An act to amend the Fisheries, Game and Forest Law, relating to hounds and other dogs running at large in the forests of this State where deer inhabit" (Rec. No. 292), be referred to the committee on rules, to be made a special order.

Mr. Hayes gave notice that he requests that Senate bill (No. 1013) entitled "An act to amend chapter 568 of the Laws of 1895, entitled 'An act to incorporate the city of Johnstown'" (Rec. No. 341), be referred to the committee on rules, to be made a special order.

Mr. C. J. Clark gave notice that he requests that Senate bill (No. 745) entitled "An act to authorize and empower the corporation called 'Round Island Company' to appoint one or more special policemen" (Rec. No. 266), be referred to the committee on rules, to be made a special order.

Mr. Adler gave notice that he requests that Senate bill (No. 307) entitled "An act to authorize the board of estimate and apportionment of The City of New York to audit, and the comptroller of the

said city to pay, the expenses of Lewis M. Hornthal, Richard Kelly, Joseph Fettretch and Jeremiah Fitzpatrick, incurred for legal services and other expenses in actions brought against them individually and as trustees of the common schools for the Nineteenth ward of The City of New York by Lousie M. Galligan" (Rec. No. 155), be referred to the committee on rules, to be made a special order.

Mr. Lowenthal gave notice that he requests that Senate bill (No. 1027) entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897" (Rec. No. 336), be referred to the committee on rules, to be made a special order.

Mr. C. J. Clark gave notice that he requests that Senate bill (No. 911) entitled "An act to amend chapter 488 of the Laws of 1892, known as the Fisheries, Game and Forest Law, section 111, and by adding thereto section 158, relating to suckers, eels and bullheads" (Rec. No. 245), be referred to the committee on rules, to be made a special order.

Mr. Donnelly gave notice that he requests that Senate bill (No. 669) entitled "An act to amend chapter 91 of the Laws of 1892, entitled 'An act to amend chapter 498 of the Laws of 1872, entitled An act for the protection of livery stable keepers and other persons keeping horses at livery and pasture, as amended by chapter 145 of the Laws of 1880,' so as to create a lien upon harness, trucks and other vehicles" (Rec. No. 301), be referred to the committee on rules, to be made a special order.

Mr. Hayes gave notice that he requests that Senate bill (No. 671) entitled "An act to amend the Fisheries, Game and Forest Law, relating to close season for hares and rabbits" (Rec. No. 185), be referred to the committee on rules, to be made a special order.

Mr. Kavanaugh gave notice that he requests that Senate bill (No. 812) entitled "An act to amend chapter 220 of the Laws of 1866, being the charter of the village of Saratoga Springs, and to enable the trustees of said village to raise moneys for certain

purposes " (Rec. No. 276), be referred to the committee on rules, to be made a special order.

Mr. Mason gave notice that he requests that Senate bill (No. 651) entitled "An act to provide for the display of the United States flag on the schoolhouses of the State, in connection with the public schools; and to encourage patriotic exercises in such schools " (Rec. No. 246), be referred to the committee on rules, to be made a special order.

Mr. Simmons gave notice that he requests that Senate bill (No. 566) entitled "An act to amend the Railroad Law, and the acts amendatory thereof, relative to the location of tools in cars " (Rec. No. 123), be referred to the committee on rules, to be made a special order.

Mr. Hill gave notice that he requests that Senate bill (No. 392) entitled "An act to further amend chapter 753 of the Laws of 1857, entitled 'An act to incorporate the International Bridge Company,' and chapter 550 of the Laws of 1869, being an act to amend the same and to authorize the consolidation of said company with any bridge company incorporated by the laws of Canada, and conferring certain additional powers upon such consolidated company " (Rec. No. 190), be referred to the committee on rules, to be made a special order.

Mr. Miles gave notice that he requests that Senate bill (No. 948) entitled "An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburgh ' " (Rec. No. 312), be referred to the committee on rules, to be made a special order.

Mr. Ives gave notice that he requests that Senate bill (No. 946) entitled "An act to amend the Insurance Law, in relation to town and county co-operative insurance corporations " (Rec. No. 311), be referred to the committee on rules, to be made a special order.

Mr. Brown gave notice that he requests that Senate bill (No. 93) entitled "An act to amend the Code of Civil Procedure, relative to actions to recover real property " (Rec. No. 252), be referred to the committee on rules, to be made a special order.

Mr. Brown gave notice that he requests that Senate bill (No.

1001) entitled "An act to incorporate the Union Free School District No. 3, town of Orangetown, county of Rockland " (Rec. No. 331), be referred to the committee on rules, to be made a special order.

Mr. Ellis gave notice that he requests that the bill (No. 1536) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Alabama, in the county of Genesee, against the State for damages alleged to have been sustained by said town, and render judgment therefor " (Int. No. 1174), be referred to the committee on rules, to be made a special order.

Mr. Hoes gave notice that he requests that Senate bill (No. 613) entitled "An act to amend chapter 727 of the Laws of 1869, entitled 'An act authorizing cities and villages to acquire title to property for burial purposes and to levy taxes for the payment of the same,' as amended by chapter 760 of the Laws of 1870, in relation to the rights of lot holders " (Rec. No. 150), be referred to the committee on rules, to be made a special order.

Mr. McEwan gave notice that he requests that Senate bill (No. 718) entitled "An act conferring local rank upon the commandant of the New York Soldiers and Sailors' Home of Bath, New York " (Rec. No. 214), be referred to the committee on rules, to be made a special order.

Mr. Donnelly gave notice that he requests that Senate bill (No. 476) entitled "An act to exempt the real estate of The Young Men's Hebrew Association from taxation, assessments and water rates " (Rec. No. 169), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests that Senate bill (No. 571) entitled "An act to amend subdivision 206p of section 1 of chapter 180 of the Laws of 1895, entitled 'An act to amend title 8 of chapter 182 of the Laws of 1892, entitled An act to incorporate the city of Mount Vernon, so far as it relates to the police department of said city ' " (Rec. No. 225), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests that Senate bill (No. 570) entitled "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police department for the city of Yonkers,' and the acts amendatory thereof" (Rec. No. 235), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests that Senate bill (No. 863) entitled "An act to provide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens thereon in the county of Westchester" (Rec. No. 264), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests that Senate bill (No. 1069) entitled "An act to locate and establish the boundaries of Union Free School District No. 7 in the town of Cortlandt" (Rec. No. 325), be referred to the committee on rules, to be made a special order.

Mr. Gale gave notice that he requests that the bill (No. 1840) entitled "An act to amend the Greater New York Charter, relating to the distribution of moneys collected on account of taxation of the fire insurance companies in The City of New York" (Int. No. 527), be referred to the committee on rules, to be made a special order.

Mr. DeGraw gave notice that he requests that the bill (No. 1835) entitled "An act to amend section 20 of chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State racing commission,' relating to collection of tax" (Int. No. 1003), be referred to the committee on rules, to be made a special order.

Mr. DeGraw gave notice that he requests that the bill (No. 1851) entitled "An act to change the name of the "Brooklyn Throat Hospital" (Int. No. 522), be referred to the committee on rules, to be made a special order.

Mr. McEwan gave notice that he requests that the bill (No. 1834) entitled "An act in relation to printing in penal institutions

in the State " (Int. No. 357), be referred to the committee on rules, to be made a special order.

Mr. Gibney gave notice that he requests that the bill (No. 1844) entitled "An act to authorize and require the town of Cortlandt, in the county of Westchester, to pay to the village of Croton, on the Hudson, the highway tax to be collected from property within the corporate limits of said village " (Int. No. 1357), be referred to the committee on rules, to be made a special order.

Mr. Paris gave notice that he requests that the bill (No. 1843) entitled "An act to legalize the official acts of Paul D. Ives, Leroy Buckley and Albert J. Lawrence as justices of the peace of the town of Easton, in Washington county, New York, and to authorize them to file proper official bonds of such justices " (Int. No. 1356), be referred to the committee on rules, to be made a special order.

On motion of Mr. Nixon, the House adjourned to meet tomorrow morning at 10 o'clock.

SATURDAY, MARCH 26, 1898.

The House met pursuant to adjournment.

Prayer by Rev. D. R. Brown.

On motion of Mr. Marshall, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 438) entitled "An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo, and making an appropriation therefor " (Int. No. 419), reported in favor of the passage of the same, with the following amendments, and that the same be reprinted and recommitted to said committee:

Page 1, line 6, strike out the word "Coit " and insert after the word "slip " the words " number two."

Page 2, line 2, strike out the word "Coit" and after the word "slip" insert the words "number two."

Page 3, line 3, strike out the word "sixty" and insert instead the word "thirty."

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 1075) entitled "An act in relation to education, constituting chapter 22 of the general laws" (Int. No. 856), reported in favor of the passage of the following substitute bill, and that the same be reprinted and recommitted to said committee:

AN ACT in relation to education, constituting chapter twenty-two of the general laws.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

CHAPTER XXII OF THE GENERAL LAWS.

THE EDUCATION LAW.

- | | |
|---------|--|
| Article | I. General provisions (§§1-18). |
| | II. School districts (§§25-41). |
| | III. District officers (§§50-68). |
| | IV. Union schools (§§ 75-96). |
| | V. District meetings (§§ 105-123). |
| | VI. School houses and sites (§§ 130-140). |
| | VII. Finance (§§150-189). |
| | VIII. Free school fund, apportionment and distribution (§§ 200-220). |
| | IX. Compulsory education (§§ 230-254). |
| | X. Teachers' qualifications, certificates and contracts (§§265-284). |
| | XI. Teachers' institutes and training classes (§§295-308). |
| | XII. Normal schools (§§315-331). |
| | XIII. Text books and special instruction (§§ 340-363). |
| | XIV. Indian schools (§§375-382). |
| | XV. Trusts for schools; gospel and school lots; fines and penalties (§§390-407). |
| | XVI. Instruction of the blind, and deaf-mutes (§§415-448). |
| | XVII. School commissioners; their election; powers and duties (§§460-471). |
| | XVIII. Department of public instruction (§§480-496). |
| | XIX. Cornell university (§§510-536). |

- Article XX. The university (§§560-601).
 XXI. Libraries (§§630-691).
 XXII. Miscellaneous (§§720-744).
 XXIII. Effect of chapter; laws repealed (§§750-753).

ARTICLE I.

GENERAL PROVISIONS.

Section 1. Short title.

2. Free common schools.
3. Common schools.
4. Public school.
5. Instruction in public schools.
6. Who may attend common schools.
7. School age.
8. School year.
9. School day.
10. Definition of district.
11. Superintendent.
12. Commissioner.
13. Trustee.
14. School officer.
15. School authorities.
16. Duty of school authorities.
17. Duty of superintendent.
18. Supervision under this chapter exclusive.

Section 1. Short title.—This chapter shall be known as the education law.

§ 2. Free common schools.—The legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of this state may be educated.

§ 3. Common schools.—The term “common schools” includes:
 1. Public schools which alone or in branches, parts or other divisions, provide free instruction for all children of school age residing in the district; but does not include a department or school under exclusive supervision of the regents.

2. Schools for the blind, deaf-mutes or other defectives under this chapter.

3. Free public kindergartens.

§ 4. Public school.—A public school is one established by the state, a municipal corporation, or school district, and wholly under public supervision and control.

§ 5. Instruction in public schools.—The public schools shall

provide instruction in the English language in the following subjects:

1. Reading, writing, spelling, arithmetic, English grammar and composition, geography, drawing, physiology and hygiene, American history, civil government and good behavior.

2. Good morals; and for this purpose the Bible may be read either as a part of the school exercises or otherwise. Such reading may be from any version, but must be without note or comment.

3. In such other subjects as may be prescribed or permitted by the school authorities, the superintendent, or by law.

§ 6. Who may attend common schools.—All children of school age may attend the common schools without charge, subject to rules prescribed or authorized by law.

§ 7. School age.—A person is of school age who is over five and under twenty-one years of age.

§ 8. School year.—The school year begins on the first day of July and ends on the last day of June. A “year,” as used in reference to the term of a district officer, means a school year.

§ 9. School day.—A school day is a day on which a common school may legally be taught. It includes each week day, except Saturday or a holiday. A school can only be in session on a school day.

§ 10. Definition of district.—The term “district,” as used in this chapter, unless otherwise indicated, means a local subdivision of the state which has authority to establish and maintain a common school.

§ 11. Superintendent.—The term “superintendent,” unless otherwise indicated, means the state superintendent of public instruction.

§ 12. Commissioner.—The term “commissioner,” unless otherwise indicated, means a school commissioner elected or appointed under this chapter, and who has jurisdiction in a given case.

§ 13. Trustee.—The term “trustee,” unless otherwise indicated, means a trustee of a common school district.

§ 14. School officer.—The term “school officer” includes a school commissioner, each officer of a school district, and each officer of a municipal corporation or other person who is charged with the performance of any duty under this chapter, or by law, in relation to any matter concerning public schools.

§ 15. School authorities.—The term “school authorities,” as used in this chapter, means a trustee, board of education, or other governing body, board or officer charged by law with the supervision and administration of school affairs in a given municipality or district.

§ 16. Duty of school authorities.—The school authorities of

each city and district shall maintain common schools therein, and for that purpose shall employ teachers, provide text books when authorized, and adequate accommodations for such schools, and raise and expend necessary funds.

§ 17. Duty of superintendent.—If a city or district fails to comply with the requirements of the last section, the state superintendent of public instruction shall take possession of school property therein, employ teachers, janitors and other necessary employes, provide text books and accommodations, and maintain such schools. The expenses incurred by him for that purpose are a charge upon the city or district, and may be paid by him from any state school moneys apportioned to it, or he may direct the amount to be raised by tax; or make out a tax list and issue a warrant in his name of office to the collector of the city or district, or appoint another collector. A collector so appointed possesses all the powers and is subject to all the duties and responsibilities of a collector elected under this chapter.

§ 18. Supervision under this chapter exclusive.—Where a school or institution is subject to the supervision of the department of public instruction, the university, the school authorities, or other school officers, or two or more of them, such supervision is exclusive.

ARTICLE II.

SCHOOL DISTRICTS.

Section 25. Classification of school districts.

26. Joint district.
27. Existing districts continued.
28. Creation of school district.
29. Alteration of districts upon consent.
30. Alteration upon refusal to consent.
31. Notice of hearing.
32. Hearing and decision.
33. Dissolution by commissioner.
34. Disposition of property of dissolved district.
35. Deposit of records with town clerk.
36. Alteration or dissolution of joint district.
37. Annexing district to union school district.
38. Consolidation of districts.
39. Alteration of a bonded district.
40. Continuance of dissolved districts.
41. First meeting in new district.

§ 25. Classification of school districts.—School districts are classified as follows:

1. Common school districts. Such districts are under the supervision of one trustee.

2. Union school districts. Such districts are under the supervision of a board of education.

3. Districts created by special law, which are under the supervision thereby established.

§ 26. Joint district.—A joint district is composed of parts of two or more commissioner districts.

§ 27. Existing districts continued.—The existing school districts are confirmed and continued, but may be altered or dissolved as herein provided.

§ 28. Creation of school district.—Each school commissioner, in respect to the territory within his district, shall:

1. Divide it as far as practicable into a convenient number of school districts and alter the same as herein provided. A school district may include territory within an Indian reservation.

2. Establish joint districts in conjunction with the commissioner of an adjoining district.

3. Describe and number the school districts and joint districts, and deliver to the town clerk a written description thereof, together with all notices, consents and proceedings relating to the formation or alteration thereof. A joint district shall bear the same number in each school commissioner district of which it forms a part.

§ 29. Alteration of districts upon consent.—With the written consent of the trustees of all the districts to be affected thereby, he may, by order, alter any school district within his jurisdiction, except a union school district conterminous with a city or village, and fix, by said order, a day when the alteration shall take effect.

§ 30. Alteration upon refusal to consent.—If the trustee of any such district after ten days written notice shall not consent, the commissioner may make and file with the town clerk his order making the alteration, but reciting the refusal, and directing that the order shall not take effect, as to a dissenting district, until a day therein named, not less than three months after the date of such order.

§ 31. Notice of hearing.—The commissioner within ten days after making and filing such order shall give at least eight days' written notice to the trustee in each district affected, that at a specified time and place he will hear the objections to the alteration. Such hearing must be had in a town which embraces a part of the territory affected. The trustee of a district affected by the order may request the supervisor and town clerk of a town within which the district is wholly or partly situated to be associated with the commissioner on such hearing. Such officers shall attend accordingly.

§ 32. Hearing and decision.—At the time and place specified in the notice, the commissioner, with the supervisors and town

clerks who attend and act, shall hear and decide the matter. The decision must either affirm, modify or reverse the order of the commissioner, and must be filed with and recorded by the town clerk of each town in which any part of the district to be affected is situated. A tie vote shall be deemed an affirmance of the order, and a decision shall be made and entered accordingly.

§ 33. Dissolution by commissioner.—A school commissioner may dissolve a district, and from such territory form a new district. He may also unite a portion or all of such territory to an existing adjoining district.

§ 34. Disposition of property of dissolved district.—When a district is dissolved and annexed to other districts, its property shall be sold by the supervisor of the town within which its schoolhouse is situated, at public auction, after a notice of at least five days, posted in the dissolved district, and also in two or more other public places in the town. The supervisor, after deducting the expenses of the sale, shall apply its proceeds to the payment of the debts of the district, and pay the residue, if any, to the owners of taxable property in the district, pro rata, according to the assessments thereof on the last corrected town assessment-roll. The supervisor may also demand, sue for and recover in his name of office, any money of the district in the hands of a former officer thereof, or other person, and after deducting his costs and expenses, shall pay the same to the owners of taxable property in the same manner as the proceeds of a sale.

§ 35. Deposit of records with town clerk.—The commissioner, or a majority of the commissioners in whose district or districts a dissolved school district was situated, shall, by his or their order in writing, delivered to the clerk of the district, or to any person in whose possession the books, papers and records of the district, or any of them, may be, direct such clerk or other person to deposit the same in the clerk's office in a town in the order named. Such clerk or other person, for neglect or refusal to obey the order, shall forfeit fifty dollars, to be applied to the benefit of the common schools of said town. The commissioner or commissioners shall file a duplicate of the order with such clerk.

§ 36. Alteration or dissolution of joint district.—The commissioners, or a majority of them, within whose districts a joint district lies, may alter or dissolve it. Either commissioner may separately institute a proceeding for that purpose, in respect to the territory within his own district, by serving upon the other commissioners a notice to the effect that he proposes the alteration or dissolution of such district. If an alteration is proposed

the notice shall contain a description of the territory to be taken from or added to the district. Such notice shall require the other commissioners to attend a joint meeting at a specified time and place for the purpose of considering the question of such alteration or dissolution. If a majority of the commissioners do not attend, or if they attend and do not consent to the alteration as proposed by the notice, either commissioner may call a special meeting of the qualified voters of such district for the purpose of deciding whether it shall be dissolved. The determination by the meeting has the same effect as an order by the commissioners. If the district be dissolved, its territory shall be included in a new district or annexed to adjoining districts by the commissioner in whose district such territory is situated.

§ 37. Annexing district to union school district.—A commissioner, with the consent of the district affected, expressed by a resolution adopted at a district meeting, may dissolve a district adjoining a union school district not conterminous with a city or village, and annex its territory to such district.

§ 38. Consolidation of districts.—Two or more districts may be consolidated by the commissioner upon his own motion, or upon the request of the districts affected. The districts may, at a district meeting, adopt a proposition for consolidation, and upon presentation of a copy thereof, certified by the clerk of the meeting, the commissioner shall forthwith determine whether such consolidation should be effected. If his decision is adverse to consolidation, it shall be filed with the clerk of each district affected. If it is in favor of consolidation, it shall be served upon the trustee or president of the board of education and filed in the office of the town clerk. The consolidation takes effect upon the filing of an order by the commissioner. He may, by the order, determine that the consolidated district shall be known as a new district, and that officers shall be elected accordingly; or that the other districts shall be deemed annexed to and consolidated with one named. When two or more districts shall be consolidated into one, the new district shall succeed to all the rights of property possessed by the dissolved districts, and shall be liable for all their debts. Upon the entry of the order of consolidation, the districts so consolidated shall be deemed abolished.

§ 39. Alteration of a bonded district.—A school district which has an existing bonded indebtedness shall not be divided; nor shall such district be altered by the addition of territory, except from a dissolved district, without the written consent of a majority of the persons residing in such territory, qualified to vote at a school meeting, and also of the owners of a majority in value of the property therein, assessed upon the last preceding town as-

assessment-roll. Such consents must be filed in the office of the town clerk, and shall be in addition to any other consent herein required.

§ 40. Continuance of dissolved districts.—Though a district be dissolved, it shall continue to exist in law for the purpose of providing for and paying all its just debts; and to that end all officers shall continue in office, and the inhabitants may hold special meetings, elect officers to supply vacancies, and vote taxes; and all other acts necessary to raise money and pay such debts shall be done by the inhabitants and officers of the district.

§ 41. First meeting in new district.—When a school district is formed, the commissioner shall deliver to a qualified voter a notice describing the district and appointing the time and place for the first district meeting. Such voter shall serve the notice in the same manner as for a special meeting under this chapter, and for his refusal or neglect shall forfeit five dollars for the benefit of the district. If such meeting is not held, the commissioner may call another meeting in the same manner.

ARTICLE III.

DISTRICT OFFICERS.

Section 50. District officers.

51. Qualification of officers.
52. Eligibility to office.
53. Term of office.
54. Terms in new district.
55. Vacancy; how created.
56. Vacancy; how filled.
57. Resignation of district officers.
58. Notice to persons elected.
59. Penalty for refusal to serve.
60. General duties of trustee.
61. Report of trustee to commissioner.
62. District in two or more counties.
63. Duties of clerk.
64. Contracts with other districts.
65. Contracts with schools without the state.
66. Code of public instruction.
67. When action does not abate.
68. Water closets and privies.

§ 50. District officers.—Each common school district shall have one trustee, a clerk, a collector, and a treasurer.

§ 51. Qualification of officers.—Every district officer must be a resident and qualified voter of the district, and able to read and write.

§ 52. Eligibility to office.—A school commissioner, supervisor or town clerk is not eligible to the office of trustee, and a trustee cannot hold the office of district clerk, collector or treasurer. A collector may also hold the office of treasurer.

§ 53. Term of office.—The term of a district officer, except a member of a board of education, is one school year, and begins on the first day of July, next following an annual meeting.

§ 54. Terms in new district.—The terms of all officers elected at the first meeting of a newly created district shall expire on the last day of June next thereafter.

§ 55. Vacancy; how created.—A district office becomes vacant by the death, resignation, refusal to serve, incapacity, removal from the district or from office, or the criminal conviction of the incumbent. A trustee vacates his office by the acceptance of the office of commissioner, supervisor, or town clerk. The collector or treasurer also vacates his office by not executing the bond required by law.

§ 56. Vacancy; how filled.—A vacancy in the office of trustee may be filled by election within thirty days after it occurs. If not so filled, a successor may be appointed by the commissioner in whose district the principal school house is situated. A vacancy in the office of clerk, collector, or treasurer may be filled by appointment by the trustee. An appointment under this section must be in writing and filed with the district clerk. A person elected or appointed to fill a vacancy under this section holds his office during the remainder of the term.

§ 57. Resignation of district officers.—A district officer may resign to a district meeting. A trustee may also resign to the commissioner, and any other district officer to the trustee. A resignation takes effect immediately upon its delivery to the body or officer authorized to receive it, unless a different date is therein fixed.

§ 58. Notice to persons elected.—The clerk of a district meeting shall forthwith notify each person elected thereat of his election and the date thereof, and such person shall be deemed to have accepted the office, unless within five days after the service of such notice he shall file his written refusal with the clerk. The presence of such person at the meeting shall be deemed a sufficient notice to him of his election.

§ 59. Penalty for refusal to serve.—A qualified person chosen to a school district office who refuses to serve therein forfeits five dollars. A person so chosen who, not having refused to accept the office, wilfully neglects or refuses to perform any duty

thereof, forfeits the sum of ten dollars. Such penalties are for the benefit of the district.

§ 60. General duties of trustee.—The trustee shall:

1. Purchase or lease a site for a schoolhouse, and build and purchase such house, as may be designated by a district meeting, and erect necessary outbuildings.

2. Hire, keep in repair and furnish a house or room for the use of the school.

3. Provide fuel, stoves or other heating apparatus, pails, brooms and other implements necessary to keep the schoolhouse or room clean and reasonably comfortable for use; provide for building fires and cleaning the school room, and employ a janitor.

4. Provide necessary bound blank books for the use of district officers.

5. Purchase a dictionary, maps, globes or other necessary apparatus, and expend therefor not exceeding twenty-five dollars in any one year.

6. Employ all teachers, determine their number, compensation and terms of employment, the number of terms to be held during each school year, and establish branch schools when necessary, or when directed by the commissioner.

A trustee-elect may at any time after his election employ a teacher for a term commencing after the expiration of the current school year, and for that purpose only his term of office is deemed to commence immediately upon his election.

7. Insure the schoolhouse, furniture, apparatus and library, and comply with the conditions of the policy.

8. Have the custody and control of the schoolhouse, its site and appurtenances, and keep such property in good repair and condition.

9. Establish rules for the government and discipline of the school, and prescribe the course of study therein, subject to the requirements of this chapter.

10. Make repairs and abate nuisances when directed by the commissioner.

11. Raise by tax on the property of the district all sums authorized by a district meeting, or by law, or which may be necessary to discharge any lawful obligation incurred by him, or by the district.

12. Pay to the district treasurer all sums received by him from any source for the benefit of the district.

13. Render to each annual district meeting a correct itemized account of all moneys raised or collected by tax or received from any other source for the benefit of the district since the last annual meeting.

14. Keep a book in which shall be entered a list of all movable property belonging to the district. Such book shall be exhibited at each annual district meeting and delivered by the trustee to his successor.

15. Notify the county treasurer and superintendent of any default in the payment of money by the supervisor, district collector or treasurer.

16. Deliver to each annual meeting a statement of all appeals, actions, suits or proceedings brought by or against him, and of every special matter touching the condition of the district.

17. Pay the qualified teachers by giving them orders on the district treasurer, but such an order shall not be given unless there is sufficient money in the hands of the treasurer to pay the same. A violation by the trustee of this provision is a misdemeanor.

18. Sue for and recover any district moneys in the hands of a former trustee or his personal representatives, and pay them to the district treasurer.

§ 61. Report of trustee to commissioner.—The trustee, on the thirtieth day of June in each year, shall make to the commissioner a report in writing for the school year ending that day. He shall sign and certify the report and deliver it to the clerk of the town in which the schoolhouse of the district is situated. Such report shall show for the year:

1. The whole time a school has been kept in the district.

2. The amount of his orders upon the treasurer for teachers' wages.

3. The books and school apparatus purchased and the amount expended therefor.

4. The number of children taught in the school by qualified teachers, and their aggregate days attendance.

5. The number of vaccinated and unvaccinated children of school age in the district.

6. The number of blind and deaf children of school age in the district, stating each class separately.

7. The amount of moneys paid for teachers' wages in addition to state school moneys appropriated therefor.

8. The amount of taxes levied for purchasing schoolhouse sites, and for building, hiring, purchasing, repairing and insuring schoolhouses, for fuel, for school libraries, or for any other purposes provided by law.

9. Such other information in relation to the school and the district as the superintendent may from time to time require.

10. The report shall also show the number of children between five and eighteen years of age residing in the district, and the

names of the parents or other persons with whom such children reside, and the number of children residing with each. Such report shall include all children over five and under eighteen years of age who are on that day actually in the district, comprising a part of the family of their parents or guardians or employes who reside in the district, although such residence is temporary; but it shall not include children belonging to the family of any person who is an inhabitant of another district in which such children may by law be included in the report to the trustees, nor any children who are supported at the county poor-house, or at an orphan asylum, nor any Indian children residing on reservations where Indian schools are maintained.

11. A full description of the amount, rate of interest, class, number, date of issue, pursuant to what law and date of maturity of all bonds issued by the district or any of its officers, and for which it is then liable, or if no indebtedness exists, a statement of that fact.

§ 62. District in two or more counties.—If a district lies in two or more counties, its trustee shall make such annual report for the part in each county and file it in the office of the clerk of the town in which such part is situated.

§ 63. Duties of clerk.—It shall be the duty of the clerk of each school district:

1. To keep a record of the proceedings of all district meetings.

2. To keep a record of all reports made by the trustee to the commissioner.

3. To report immediately to the town clerk of the town in which the schoolhouse of his district is situated, the names and post-office addresses of all officers either elected or appointed. For a failure to give such notice, the clerk is liable to a penalty of five dollars.

4. To notify the trustee of every resignation filed with him.

5. To keep and preserve the records, books, and papers belonging to his office, and deliver them to his successor. For his refusal or neglect so to do, he shall forfeit fifty dollars for the benefit of the district, to be recovered by the trustee.

6. To obey the order of the commissioner, if his district be dissolved, concerning the deposit of the books, papers and records of his office, in the office of the town clerk.

7. To permit the free examination of the records, books and papers belonging or appertaining to his office by any qualified voter of the district at all reasonable hours; also to permit such voter to make copies thereof. Such records, books and papers are the property of the district.

§ 64. Contracts with other districts.—The trustee of a common

school district when authorized by a district meeting may contract with the authorities in charge of the schools of any city, village or other district for the education therein of pupils residing in his district. He may also contract for the conveyance of the pupils to such schools. A contract under this section must be in writing and filed with the clerk of each district. A copy of such contract duly certified by the trustee of each district, or by the secretary of the board of education of such city or village, must be filed in the office of the superintendent. Such district shall, by reason of such contract, be deemed to have employed a qualified teacher, and is entitled to receive one district quota each year on account thereof during the continuance of the contract, not exceeding, however, the amounts contracted to be paid for the conveyance and education of such pupils.

A record of the attendance of such non-resident children shall be kept and separately stated in the annual report by the district, village or city with which such contract is made, and such attendance shall be credited to the district where the pupils reside.

§ 65. Contracts with schools without the state.—A trustee may contract with the authorities of an adjoining district without the state for the instruction therein of children who reside in his district. Such contract shall be in writing and a copy thereof shall be filed with the district clerk and also with the commissioner. Upon the execution of such contract, children in such district may attend a school in another state, and such attendance shall be separately reported by the trustee in the same manner and with the same effect, as if such children had attended the school in the district where they reside. The agreed compensation for such instruction is a charge upon the district. If in consequence of such a contract a school is not maintained in the district, a district quota shall be apportioned thereto in the same manner as if a qualified teacher had been employed therein, if it appears that a free school has been maintained in such adjoining district for the period during the last school year, herein required in a common school district.

§ 66. Code of public instruction.—The trustee is the custodian of the code of public instruction belonging to the district, and is liable for its loss by his fault or negligence. If so lost, he shall immediately at his own expense procure a copy of the latest edition of the code. Upon the expiration of his term he shall deliver the code to his successor. The trustee who violates this provision forfeits twenty-five dollars for the benefit of the school library, and such penalty shall be recovered by the supervisor.

§ 67. When action does not abate.—An action against a district officer to recover a penalty or forfeiture does not abate by his

resignation, except upon the special order of the court in which the action is pending.

§ 68. Water closets and privies.—The trustee of each school district shall provide at its expense a suitable and convenient water closet or privy for each sex at each of the schools under his charge. Such closets or privies shall be entirely separate from each other with separate means of access; and the approaches thereto shall also be separated by a substantial close fence, not less than seven feet in height.

The trustees shall keep each closet and privy in a clean and wholesome condition.

ARTICLE IV.

UNION SCHOOLS.

Section 75. Union school district; how established.

76. Effect of adverse action.

77. Board a corporation; designation of district.

78. Officers.

79. Expenses; how paid.

80. Filing papers.

81. Powers and duties of boards of education.

82. Visitation and supervision by superintendent.

83. Powers of district.

84. Power of meeting to vote taxes.

85. Municipal authorities to raise school moneys.

86. Increase and reduction of board.

87. Member of board not to be interested in contracts.

88. Moneys; how paid by the board of education.

89. Adoption of academy.

90. Academy as academic department.

91. Visitation of academic department.

92. Limitation on dissolution.

93. Dissolution; distribution of property.

94. Re-transfer of academies.

95. Notice of proposed tax for school buildings, sites, etc.

96. Continuance and election of boards of education.

§ 75. Union school district; how established.—Union schools may be established as herein provided:

1. Fifteen qualified voters of a common school district may present to the trustee a request, signed by them, for a district meeting to determine whether a union school district shall be established therein. The trustee, within ten days after receiving such request, shall give notice that a meeting for that purpose will be held at the school house or other more suitable place in the dis-

trict, at the time and place therein specified, not less than twenty nor more than thirty days after the service or posting of such notice. The notice shall be served either personally in the same manner as for a special meeting, or by posting the same in at least ten conspicuous places in the district. The notice shall also be published in each newspaper actually printed in the district, at least once in each of two consecutive weeks next preceding the meeting. If the trustee shall not give such notice within twenty days, the commissioner or superintendent shall authorize and direct a qualified voter of the district to give the same.

2. Fifteen qualified voters from each of two or more adjoining common school districts may unite in a request for a meeting of the qualified voters thereof to determine whether they shall be consolidated by the establishment of a union school district therein. The trustees or a majority of them upon receiving such request shall give the notice provided by the foregoing subdivision, except that the place for holding the meeting shall be as central as may be, and the notice shall be posted in at least five public places in each district. The commissioner or superintendent may order such meeting under the conditions and in the manner prescribed in the foregoing subdivision.

3. The meeting shall be organized by the election of a chairman and secretary, and may be adjourned for not more than ten days. A proposition to establish a union school district cannot be considered, unless in the case of a single district, fifteen qualified voters thereof, and in the case of two or more districts, the same number from each district, are present at the meeting.

4. A meeting may, by resolution, determine to establish a union school district in accordance with the request. If such resolution is adopted, the meeting may establish a board of education, which shall always consist of an odd number, and shall be composed of not less than three nor more than nine trustees, who by the order of the meeting shall be divided into three classes as follows: The first class shall hold until one year, the second until two years, and the third until three years from the first day of July next following. Thereafter trustees shall be elected at each annual district meeting, or charter election, to supply the places of those whose terms will expire at the end of the current school year. All terms shall begin on the first day of July. The trustees first elected shall enter at once upon the duties of their office, and the office of an existing trustee in such common school district shall thereupon cease, except for the purposes herein provided in case of a dissolved district.

§ 76. Effect of adverse action.—If at such a meeting, a proposi-

tion for the establishment of a union school district is rejected, no other proceedings shall be taken, except to reconsider or adjourn, and another meeting for the same purpose shall not be called within one year thereafter.

§ 77. Board a corporation; designation of district.—The trustees and their successors shall constitute the board of education of such union school district, and as such they are a body corporate. The commissioner shall designate such district as "Union school district number of the town of, " which shall be the name and style of the board.

§ 78. Officers.—The board of education at its first meeting, and at each annual meeting thereafter, shall elect one of its members president. In a district not conterminous with a city the board shall appoint a clerk, who may be one of its own number, or any other qualified voter except a teacher employed in the district. A person so appointed shall be clerk of the board of education and of the district, and shall perform all the clerical and other duties pertaining to his office. He is entitled to receive such compensation as may be fixed by an annual district meeting, and if provision is not so made for his compensation, the board of education may fix the same. The board shall also annually appoint a district treasurer and a collector who must be taxable voters in the district. The treasurer is entitled to receive such compensation as may be fixed by the board.

§ 79. Expenses, how paid.—The reasonable expenses of the necessary proceedings upon the organization of a union school district, as herein prescribed, are a charge against the district so organized. If a union school district is not organized, the persons who signed the request for a meeting are jointly and severally liable for such expenses.

§ 80. Filing papers.—Copies of the request, notice of meeting, order of the commissioner or superintendent, directing the call of the meeting, if any, and of the minutes of the meeting, duly certified by the chairman and secretary thereof, shall be by them or either of them transmitted to and filed with the town clerk, commissioner and superintendent.

§ 81. Powers and duties of boards of education. Each board of education of a union school district has power, and it is its duty:

1. To adopt such rules for its government as it shall deem proper for the discharge of the duties required under this chapter.

2. To establish such rules concerning the order and discipline of the school in the several departments thereof as it may deem necessary to secure the best educational results.

3. To prescribe the course of study by which the pupils of the schools shall be graded and classified, and to regulate the admission of pupils and their transfer from one class or department to another as their scholarship shall warrant.

4. To have the superintendence, management and control of such schools and to establish in the same an academic department, whenever in its judgment the same is warranted by the demand for such instruction. Whenever an academic department shall be established, the board of education shall possess all the privileges and enjoy all the immunities now possessed by the trustees of academies.

5. To fill any vacancy which may occur in the board, otherwise than by expiration of term. The person so appointed shall hold his office during the remainder of the term. If the vacancy is not so filled within thirty days, it may be filled by the commissioner.

6. To hold a regular meeting at least once in each quarter, and at such meeting to appoint one or more committees to visit every school or department under the supervision of the board. Such committee shall visit such school at least twice in each quarter, and report its condition at the next regular meeting of the board. Meetings of the board shall be open to the public, except that it may hold executive sessions, at which only its members or persons invited shall be present.

7. To purchase real property for the use of the district and erect schoolhouses or additions thereto as may be determined by a district meeting.

8. The board of education in a village or district which contains a population of five thousand may appoint a superintendent of schools. Such superintendent shall be under the direction of the board of education, which shall prescribe his powers and duties.

9. To present at each annual district meeting, besides any other report or statement required by law, a detailed statement in writing of the amount of money which it is estimated will be required for the ensuing year for school purposes, exclusive of state school moneys, specifying the several purposes for which it will be required, and the amount for each. Such a statement may also be presented by the board at a special meeting called for that purpose and a supplementary or amended statement or estimate may be presented at any time.

10. To publish once in each year, at least twenty days before the annual district meeting, in a newspaper printed in the district, if any, an itemized account of all moneys received by the board or the treasurer for the district, and the disbursement

thereof. If a newspaper is not published in the district, the account shall be posted in five public places therein.

11. To report to the superintendent on any matter required by him in such form and with such authentication as he may prescribe.

12. To take and hold for the use of the schools or of any department thereof, any real estate transferred to it by gift, grant, or devise, or any gift, legacy or annuity, of whatever kind, given or bequeathed to the said board, and apply the same, or the interest or proceeds thereof, according to the directions of the donor or testator.

§ 82. Visitation and supervision by superintendent.—Each union school in all its departments is subject to the visitation of the superintendent, and he is charged with the general supervision of the board of education, and its management, and the conduct of the several departments of instruction.

§ 83. Powers of district.—A union school district and its officers possess the powers and are subject to the duties, liabilities and responsibilities vested in or imposed upon a common school district and its officers by this chapter, except as otherwise specifically provided. The provisions of this chapter in relation to the powers, duties and liabilities of a trustee of a common school district apply so far as practicable to a board of education of a union school district.

§ 84. Power of meeting to vote taxes.—A district meeting in a union school district not conterminous with a city or village may authorize such acts and vote such taxes as shall be deemed expedient for making additions, alterations or improvements to or on the sites or structures belonging to the district, or for the purchase of other sites or structures, or for a change of sites, or for the erection of new buildings, or for buying apparatus or fixtures, or for other purposes. The designation of a site must be by a written resolution, containing a description thereof by metes and bounds.

§ 85. Municipal authorities to raise school moneys.—The corporate authorities of a city or village conterminous with a union school district shall raise from time to time by tax sums necessary to defray the expenses of supporting the schools therein as may be required by the board of education. All sums so required shall be set forth in a detailed statement in writing addressed to the corporate authorities by the board of education, giving the various purposes of anticipated expenditure and the amount necessary for each. Taxes shall also be raised for such other sums as may be set forth in a written statement by the board authorized by a district meeting for making additions, alterations or improve-

ments to or on the site or structures belonging to the district, or for the purchase of other sites or structures, or for a change of sites, or for the erection of new buildings, or for buying apparatus or fixtures, or for other purposes.

§ 86. Increase and reduction of board.—A board of education which has more than three or less than nine members may be reduced to three or increased to nine by a resolution adopted at an annual district meeting. If the number is increased, additional trustees shall be elected and classified as the meeting may determine. If the number is diminished an election shall not be held to fill the vacancies of the outgoing trustees until the number shall correspond to the number fixed by the meeting.

§ 87. Member of board not to be interested in contracts.—A member of a board of education shall not be personally interested in any contract made by the board.

§ 88. Moneys; how paid by the board of education.—In a district conterminous with a city or village all moneys apportioned to a union school from the income of the literature fund, or free school fund, or otherwise, shall be paid to the municipal treasurer, to the credit of the board of education, and he shall keep such moneys separate and distinct from any other fund. The treasurer shall give such additional security for the money so apportioned as the corporate authorities of the city or village shall require. Money shall not be drawn from funds credited to the board of education in a city or village, nor paid by the treasurer in any other union school district, except in pursuance of a resolution of the board of education, and on a draft drawn by the president, and countersigned by the clerk, payable to the order of the person entitled to receive the same; and such draft must show on its face the purpose or service for which the moneys are authorized to be paid by the board.

§ 89. Adoption of academy.—The board of education, when authorized by a district meeting, may, with the consent of the superintendent, the regents and the trustees of an existing academy, adopt it as the academic department of the district. Thereupon the trustees of such academy by resolution to be attested by the president and clerk of the board of education and filed in the office of the regents, shall declare their office vacant. Thereafter such academy shall be the academic department of the union school; and the board of education shall have the right to occupy, manage and control such academy, its site and appurtenances, for the purposes of an academic department, but not otherwise.

§ 90. Academy as academic department.—The board of education of a union school district, with the approval of the regents

and the superintendent, may adopt an academy as the academic department thereof, and contract for the instruction therein of pupils of academic grade residing in the district. The academy thereupon becomes the academic department of the union school, and the district is entitled to the same rights and privileges, is subject to the same duties, and the apportionment and distribution of state school money shall be made to it, as if an academic department had been established in such school.

§ 91. Visitation of academic department.—An academic department in a union school is under the visitation of the regents, and is subject to the regulations made by them in regard to academies, as to its course of education and all matters pertaining thereto, except as to the buildings in which the school is conducted. In such a department the qualifications for the entrance of a pupil shall be as high as those established by the regents for participation in the literature fund of any academy under their supervision.

§ 92. Limitation on dissolution.—A union school district shall not be dissolved within one year from the first day of July next following its establishment. A district may be dissolved at any other time upon the affirmative vote of two-thirds of all the qualified voters of the district, with the written approval of the commissioner. Such approval shall be by an order of the commissioner, filed in the office of the clerk of the town in which the principal schoolhouse of the district is located, and a duplicate copy of such order shall be delivered to the clerk of the board of education, who shall forthwith deliver to the superintendent copies of the call, notice, proceedings of the meeting and the order of the commissioner. A dissolution, if approved, shall take effect on the next succeeding thirtieth day of June. The question of a dissolution can be considered only at a special meeting. Such meeting shall be called by the board of education upon the written request of fifteen qualified voters. If a proposition to dissolve a district be determined in the negative, or in the affirmative and is not approved by the commissioner, a like proposition shall not be again considered within three years from the first meeting.

§ 93. Dissolution; distribution of property.—If a district so dissolved was composed of two or more common school districts, the commissioner may divide its territory into districts corresponding, so far as practicable, with the original districts, and if in any such district property has been purchased, or a new schoolhouse erected, or other improvements made, the commissioner shall apportion the benefits thereof equitably between the districts, and shall direct the amount, if any, to be paid by one district to another. Such amount shall be a charge upon the district, and shall be raised and

paid in accordance with the order of the commissioner. The commissioner shall also apportion among the several districts moneys remaining in the hands of the district treasurer after payment of all district obligations, and he shall pay over such moneys accordingly.

§ 94. Re-transfer of academies.—If in such dissolved district an academy was adopted as its academic department, the board of education shall transfer such academy to its surviving former trustees or stockholders upon the application of a majority thereof who reside in the district.

§ 95. Notice of proposed tax for school buildings, sites, etc.—In a union school district an addition to or change of site or purchase of a new site or structure or the purchase of an addition to a site of any schoolhouse or for the erection of an addition to a schoolhouse shall not be voted, except at a special meeting called upon a notice by the board of education, stating that a tax therefor will be proposed and specifying the amount and object thereof, and which must be published once in each of the four weeks next preceding such meeting in two newspapers, if there be two, or in one if there be but one, published in such district. If no newspaper is then published therein, notice shall be posted in at least twenty public places in the district twenty days before the meeting.

§ 96. Continuance and election of boards of education.—Each board of education in a union free school district heretofore constituted is continued, and the members of such board in office when this chapter takes effect shall continue therein until the thirtieth day of June of the calendar year in which such terms would otherwise expire. Each union free school district is continued as a union school district under this chapter. All elections of member of boards of education of union school districts shall be for a full term of three years, commencing on the first day of July next following such election. In such a district conterminous with a city or village, members of the board of education shall be elected annually at the charter election in the same manner as the charter officers, by a separate ballot to be endorsed "school trustee" to supply the places of those whose terms will expire on the next following thirtieth day of June. Not more than one member of a family shall be a member of a board of education.

ARTICLE V.

DISTRICT MEETINGS.

Section 105. Definition.

106. Qualifications of voters at a school meeting.

107. Right of qualified voter.

108. Annual district meeting.

- Section 109. Notice of an annual meeting.
 110. Notice of an adjourned meeting.
 111. Special meetings.
 112. Special meetings in default of annual meeting.
 113. Notice of special meeting; how served.
 114. Powers of district meeting.
 115. Election to be by ballot.
 116. Votes upon propositions to be by ballot.
 117. Challenges.
 118. Penalty for illegal voting.
 119. Chairman must receive vote.
 120. When district may fix the hour of election.
 121. Appointment of inspectors of election.
 122. Canvass of votes.
 123. When vote may be rescinded.

§ 105. Definition.—A “district meeting” means the qualified voters of a district lawfully assembled for the transaction of its business.

§ 106. Qualifications of voters at a school meeting.—A person entitled to vote at a school meeting must be:

1. An adult citizen of the United States, who has resided in the district during the thirty days next preceding such meeting; and also,

2. The owner, lessee, or in possession under a contract of purchase, of real property in the district liable to taxation for school purposes; or,

3. The owner of personal property exceeding fifty dollars in value, assessed upon the last preceding assessment-roll of the town; or,

4. A parent or guardian of a child of school age, or other person with whom such a child permanently resides, and which child has attended the school in such district for at least eight weeks within one year next preceding such meeting.

A woman who possesses the qualifications herein prescribed is a qualified voter.

§ 107. Right of qualified voter.—A qualified voter is entitled to vote at a district meeting upon all questions and propositions, and upon the election of all officers.

§ 108. Annual district meeting.—The annual meeting of each school district shall be held on the fourth Tuesday of May, and unless the hour and place thereof shall have been fixed by a district meeting, the same shall be held in the school house at eight o'clock in the evening. If the district has more than one school house, the meeting shall be held in the house usually employed for that purpose, unless the trustee designates

another. If the district has no school house, or it is not accessible, the meeting shall be held at such place as the trustee, or if there be none, the clerk, shall designate in the notice.

§ 109. Notice of annual meeting.—Notice of an annual meeting must be given by the clerk by posting notices at least five days prior thereto in five public places in the district.

§ 110. Notice of an adjourned meeting.—If a meeting be adjourned more than one month, notice of such adjournment shall be given by the clerk of the meeting by posting notices thereof in five public places in the district at least five days before the time appointed for the adjournment.

§ 111. Special meetings.—A trustee may call a special meeting at any time; and shall call such meeting whenever requested in writing by five qualified voters. If the office of trustee is vacant, or if he neglects or refuses to act, or call such meeting within five days after a written request therefor is presented to him, the clerk possesses all his powers and is subject to all his duties under this section. If both offices are vacant, the school commissioner may call a special meeting. A special meeting shall be held at the time and place specified in the notice. The notice of a special meeting must state the purpose thereof, and no other business can be there transacted.

§ 112. Special meeting in default of annual meeting.—If the annual meeting is not held, a special meeting shall be called within twenty days thereafter by the trustee or clerk for the purpose of transacting the business of the annual meeting. If such special meeting is not so called, the commissioner or the superintendent may direct a qualified voter of the district to give notice of a special meeting. The district officers shall make to such meeting the reports required to be made at the annual meeting, subject to the same penalty in case of neglect. The officers elected at such meeting shall hold their respective offices during the remainder of the current school year.

§ 113. Notice of special meeting, how served.—The qualified voters at an annual meeting may, by resolution, prescribe the method of giving notice of a special meeting. Such method shall be observed until changed in the same manner. If a special method is not so prescribed, such a notice must be served by reading it in the hearing of each qualified voter, or by delivering a copy to him, or by leaving a copy at his abode, at least six days before the meeting. Notice of a special meeting must be served by the trustee or clerk, or by any other qualified voter designated by the trustee for that purpose.

§ 114. Powers of district meeting.—A district meeting has power:

1. To appoint a chairman.
2. To appoint a clerk of the meeting, if the district clerk be absent.
3. To adjourn from time to time.
4. To elect district officers.
5. To fix the amount of the official bonds of the treasurer and collector.
6. To vote a tax for the establishment or maintenance of a school library and for the purchase of a bookcase.
7. To vote a tax to supply a deficiency in any former tax.
8. To authorize the trustee to cause the schoolhouse and its appendages and the furniture and school apparatus to be insured.
9. To alter, repeal and modify its proceedings.
10. To vote a tax to replace moneys of the district lost or embezzled by district officers; and to pay the reasonable expenses incurred by district officers in defending suits or appeals brought against them for their official acts, or in prosecuting suits or appeals by direction of the district against other parties.
11. To designate a site for a schoolhouse. Such designation can only be made at a special meeting, and by a resolution describing the site by metes and bounds.
12. To provide for the transportation of pupils to a school and raise by taxation the funds necessary therefor.
13. To vote all taxes which may be necessary and proper for the maintenance of the school and the acquisition of property therefor; but a failure to vote a tax does not prevent the trustee from incurring any obligation or contracting any indebtedness necessary for the purposes mentioned in this subdivision, and within the powers conferred upon him by law.

§ 115. Election to be by ballot.—All district officers shall be elected by ballot, and the trustee shall provide a suitable ballot-box for that purpose. Two inspectors of election shall be appointed by the meeting, who shall receive the votes cast, canvass the same and announce the result to the chairman. A poll-list containing the name of every person whose vote shall be received, shall be kept by the clerk of the meeting. The ballots shall be written or printed, or partly written and partly printed, containing the name of the office and the candidate. The chairman shall declare to the meeting the result of each ballot as announced to him by the inspectors, and the persons having the highest number of votes respectively for the several offices shall be elected.

§ 116. Votes upon propositions to be by ballot.—All propositions submitted at a district meeting, involving the expenditure of money, the levy of a tax, or the purchase, sale or lease of property,

shall be by ballot. A poll-list containing the name of every person whose vote shall be received, under this section, shall be kept by the clerk of the meeting.

§ 117. Challenges.—If a person who offers to vote at a district meeting is challenged as unqualified, the chairman shall not permit him to vote unless he makes the following declaration: “I do declare and affirm that I am and have been for the thirty days last past, an actual resident of this school district, and that I am qualified to vote at this meeting.” The person making such declaration has all the rights of a qualified voter.

§ 118. Penalty for illegal voting.—A person not qualified who votes at a district meeting thereby forfeits ten dollars, to be recovered in an action by the trustee for the benefit of the district. A person who willfully makes a false declaration after being challenged is guilty of a misdemeanor.

§ 119. Chairman must receive vote.—A chairman who refuses to receive the ballot of a person entitled to vote at a district meeting or election, forfeits twenty-five dollars for the benefit of the district.

§ 120. When district may fix the hour of election.—If the number of children of school age in a district exceeds three hundred, as shown by the last annual report of the trustee to the school commissioner, an annual district meeting may by resolution determine that the election of officers shall be held between the hours of twelve o'clock noon and four o'clock in the afternoon of the day of the annual meeting, instead of at the hour fixed by this chapter, and if such earlier time be fixed, the election shall thereafter be held accordingly, unless such resolution be rescinded at an annual meeting. The trustee may extend the time of holding the election beyond four o'clock but not later than sunset.

§ 121. Appointment of inspectors of election.—The trustee at least twenty-four hours before the opening of the polls at such an election shall appoint two inspectors of election and file such appointment with the district clerk. Such inspectors shall have the same powers and perform the same duties as inspectors appointed by a district meeting. They shall choose one of their number chairman, who shall preside at the election. The district clerk shall attend at the election and keep a poll-list of the voters. If he is not present, or does not act, the trustee may appoint a qualified voter to act in his place. The clerk at such election who shall neglect or refuse to record the name of a person whose ballot is received by the inspectors is liable to a fine of twenty-five dollars, to be sued for by the trustee for the benefit of the district. The provisions of this chapter relating to the challenge of a voter at a school meeting apply to a challenge at such election.

§ 122. Canvass of votes.—The inspectors immediately after the close of the polls shall proceed to canvass the votes. They shall first count the ballots to determine if they tally with the number of names recorded by the clerk. If they exceed that number, enough ballots shall be withdrawn to make them correspond. Such inspectors shall count the votes and announce the result, and shall file a certificate of the result under their hands with the district clerk. The persons having the highest number of votes respectively for the several offices shall be elected, and the clerk shall record the result of such election as announced by the inspectors. The foregoing provisions shall not apply to school districts in cities, nor to union school districts conterminous with a village, nor to a school district organized by special law containing provisions relating to the election of officers different from those herein prescribed.

§ 123. When vote may be rescinded.—A vote to build, hire or purchase a schoolhouse or an addition thereto, or to purchase real property, shall not be rescinded except at an adjourned or special meeting to be held within twenty days after the original resolution was adopted.

ARTICLE VI.

SCHOOLHOUSES AND SITES.

Section 130. Acquisition of real property.

131. When owner's consent necessary.

132. When site may be changed.

133. Sale of former site.

134. Disposition of proceeds.

135. Schoolhouse not to be built on town line.

136. When school commissioner must approve plan.

137. New schoolhouse after condemnation.

138. Fire-escapes for school buildings.

139. Use of schoolhouse.

140. Purchase and display of flags.

§ 130. Acquisition of real property.—Real property may be acquired for school purposes as follows:

1. By gift, grant, devise or purchase.

2. By condemnation, if an agreement cannot be made with the owner for the purchase thereof. Such proceedings shall be instituted and conducted by the trustee or board of education, in the name of the district.

3. This section does not permit the acquisition by condemnation of less than the whole of a city or village lot with the erections and improvements thereon.

The provisions of this section apply to districts organized under special law.

§ 131. When owner's consent necessary.—The following property cannot be acquired without the consent of the owner:

1. A homestead occupied as such by the owner.
2. A garden, orchard, vineyard, or any part thereof, not within a city.
3. A yard or inclosure, or any part thereof, necessary to the use or enjoyment of buildings.
4. Fixtures or erections for the purposes of trade or manufacture.

§ 132. When site may be changed.—A site upon which a schoolhouse has been erected, or is in process of erection, shall not be changed, nor such house be removed, except upon the condemnation by the commissioner, or upon the adoption of a resolution by a special district meeting, and the written approval of the commissioner. Such resolution must describe the new site by metes and bounds.

§ 133. Sale of former site.—When a site is changed a district meeting may direct the sale of the former site, and of the buildings and appurtenances, or any part thereof, and fix the price and terms of sale. A conveyance may be executed by the trustee. If a credit on the sale is authorized, the trustee may take a bond and mortgage in his name, as trustee, and the amount of such security shall be deemed moneys of the district in his hands. The trustee or a successor may maintain an action to recover such amount and enforce the security.

§ 134. Disposition of proceeds.—Moneys arising from such a sale shall be applied first to the expenses incurred in procuring a new site, in erecting and placing a schoolhouse thereon, and improving and furnishing such site and house. The surplus, if any, shall be credited to the general fund, and appropriated as directed by a district meeting.

§ 135. Schoolhouse not to be built on town line.—A schoolhouse shall not be so built as to stand on the division line between two towns.

§ 136. Approval of plans for a schoolhouse.—A schoolhouse shall not be built until the plans therefor shall be approved, in writing, by the commissioner.

§ 137. New schoolhouse after condemnation.—A commissioner who condemns a schoolhouse or site shall make an order of condemnation, and deliver it to the trustee, and a copy to the superintendent. It shall state what sum in the opinion of the commissioner will be necessary to erect a schoolhouse suitable for the district. The trustee within five days after the receipt of such order shall call a special district meeting to be held within twenty days for the purpose of considering the question of building a school-

house. The meeting may determine the size of the house, the material to be used in its construction, and vote a tax therefor. If such a tax is not voted within thirty days after the day fixed for the meeting, the trustee shall proceed by contract or otherwise to build a schoolhouse in accordance with the order of the commissioner, and levy a tax therefor. Any district meeting may increase the amount estimated by the commissioner. The superintendent, upon the application of a district meeting, or if such a meeting fails to act under the order, upon the application of the trustee, may reduce the amount estimated by the commissioner, and fix the minimum cost of the schoolhouse.

§ 138. Fire escapes for school buildings.—All school buildings which are more than two stories high shall have properly constructed stairways on the outside thereof, with suitable doorways leading thereto from each story above the first, for use in case of fire. Such stairways shall be kept in good order and free from obstructions, and doors leading to the same shall not be bolted or locked during school hours. The authorities having charge of such schoolhouses shall cause the stairways to be constructed and maintained.

§ 139. Use of schoolhouse.—The schoolhouse shall be used, so far as practicable, for the sessions of the school, and for district meetings. A trustee, unless prohibited by a district meeting, may also permit it to be used at other times for any educational purpose.

§ 140. Purchase and display of flags.—The authorities of every public school shall provide each schoolhouse in their district with a United States flag, a flagstaff, and other necessary appliances for the display of such flag. Such flag shall be displayed upon or near the school building during school hours, and at such other times as the authorities may direct.

ARTICLE VII.

FINANCE.

Section 150. Property and persons subject to taxation.

151. When person deemed a taxable inhabitant.

152. Tax law; when applicable.

153. Valuation, how ascertained.

154. Original assessment by trustee.

155. Notice of hearing.

156. Equalization where district is in different towns.

157. Taxes on nonresident lands.

158. When property exempt from taxes for schoolhouse.

159. When school commissioner must approve tax.

160. Tax list.

Section 161. Tax warrant.

162. Delivery to collector.
163. Notice by collector.
164. Notice to corporations.
165. Notice to nonresidents.
166. Collector may execute warrant in another county.
167. Collector's fees.
168. When trustee may amend tax list.
169. Renewal of warrant.
170. Collector to pay over money to treasurer.
171. Collector's return of unpaid taxes.
172. Returns to be transmitted to county treasurer.
173. Treasurer to pay collector amount of unpaid taxes.
174. Collection of unpaid taxes.
175. Payment of tax before levy.
176. Proceeding for collection of unpaid taxes.
177. Non-resident stockholders in national bank.
178. Trustee may bring action to recover unpaid tax.
179. When tenant may charge owner for taxes paid.
180. Trustee to file tax warrant.
181. When collector liable for moneys lost.
182. Collector's bond.
183. Treasurer's bond.
184. Treasurer to be custodian of district moneys.
185. Disbursement by treasurer; reports.
186. Application of district money.
187. Moneys may be raised by tax or bonds.
188. Bonds for improvements.
189. Sale of district bonds.

§ 150. Property and persons subject to taxation.—School district taxes shall be apportioned by the trustee as follows:

1. Upon all real property subject to taxation in the district. Such property shall be assessed to the person or corporation then owning or possessing the same, except that land lying in one body and occupied by the same person, either as owner, or agent for the same principal, or as tenant under the same landlord, if assessed as one lot on the last revised completed assessment-roll of the town, though situated partly in two or more school districts, shall be taxable in the district in which such occupant resides. This rule does not apply to land owned by a nonresident of the district, and which is not occupied by an agent, servant or tenant residing in the district. Such unoccupied land shall be assessed as nonresident, and a description thereof shall be entered in the tax-list, together with the name of the owner, if known.

2. Upon all persons residing in the district, and upon all corporations liable to taxation therein, for the personal property owned by them and liable to taxation.

3. Upon individual bankers doing business in the district.

4. Upon nonresident stockholders in banks or banking associations situated in the district, for the amount of stock owned by them therein.

§ 151. When person deemed a taxable inhabitant.—A person is deemed a taxable inhabitant and is liable to taxation on real property in the district where it is situated.

1. Where he works it under a contract for a share of the produce thereof; or

2. Where he is in possession under a contract for the purchase thereof; or

3. Where he owns or holds such real property and improves and occupies it by his agent or servant.

§ 152. Tax law; when applicable.—The provisions of the tax law, so far as practicable, apply to the assessment, levy and collection of taxes under this chapter, except as otherwise herein provided.

§ 153. Valuation, how ascertained.—The valuation of taxable property shall be ascertained so far as possible from the last revised assessment-roll of the town, and a person shall not be entitled to a reduction of the valuation so ascertained, unless he gives to the trustee a written notice of his claim to such reduction before the tax list is made out.

§ 154. Original assessment by trustee.—The trustee shall ascertain the value of taxable property from the best evidence available, in either of the following cases:

1. Where a reduction from the town assessment is duly claimed.

2. Where the value can not be ascertained from the last revised completed town assessment-roll.

3. Where the value has increased or diminished since the last town assessment.

4. Where an error, mistake or omission has been made by the town assessors in the description or valuation of the property.

5. Where property has been divided since the last town assessment, and is owned by different persons.

§ 155. Notice of hearing.—If it becomes necessary to revise a town assessment, or if an original assessment is made as provided in the last section, the trustee shall post notices in three public places in the district, stating that at a time and place therein specified, not less than ten days from the date of the posting thereof, he will hear and determine all complaints as to

such assessment. A copy of such notice shall also be served, at least ten days before the hearing, upon each person specially interested in such revised or original assessment, by delivering the same to him personally, if he is a resident of the district and can be found therein, otherwise by depositing the same in the post-office with postage paid, addressed to him at his last known place of residence.

§ 156. Equalization where district is in different towns.—When a district embraces parts of two or more towns, the trustee or three taxable owners of real property in the district, may by written notice require the supervisors of such towns to meet at a time and place specified in the notice, not less than five nor more than ten days from the service thereof, to inquire and determine whether the valuation of real property upon the several assessment rolls of said towns is substantially just as compared with each other, so far as said district is concerned. The supervisors shall meet and examine the matter accordingly, and shall determine the relative proportion of taxes that ought to be assessed upon the real property in each part of said district. If such supervisors are unable to agree they or one of them shall inform the commissioner of that fact, and he shall summon a supervisor from an adjoining town, who shall unite in such inquiry and the concurrence of two shall be necessary for a decision. Such decision shall be in writing, signed by the supervisors concurring therein, and deliver to the trustee. The trustee shall levy taxes according to such decision until new assessment rolls of the towns shall be completed and filed.

§ 157. Taxes on non-resident lands.—If real property liable to taxation is not occupied and improved by the owner, his servant or agent, or is not in the possession of a tenant, the trustee shall insert in the tax list a description of such property in the manner required in a town assessment of non-resident land, with the name of the owner, if known.

§ 158. When property exempt from taxes for schoolhouse.—If real property is set off and becomes a part of another district without the consent of the owner, and a tax has been assessed thereon within four years before the change, and paid, for building a schoolhouse, such property shall be exempted in the district to which it is transferred, for ten years after the transfer, from assessment for a tax for a new schoolhouse.

§ 159. When school commissioner must approve tax.—If a tax voted for building, purchasing or hiring a schoolhouse or an addition thereto exceeds one thousand dollars, it can not be levied until approved in writing by the commissioner. Such approval must be filed with the district clerk.

§ 160. Tax list.—The trustee or board of education within thirty days after a tax has been voted shall assess it and make out the tax list therefor, and annex thereto a warrant for its collection. A tax list may include two or more taxes so voted, and also a tax which the trustee or board of education is authorized to raise without such vote. A heading shall be prefixed to such tax list showing for what purpose the different items of the tax are levied.

§ 161. Tax warrant.—The warrant for the collection of the district tax shall be signed by the trustee, or the president and clerk of the board of education, and it has the same force and effect as a tax warrant issued by the board of supervisors. The district collector to whom it may be delivered for collection is authorized and required to collect from every person in such tax list named, the sum set opposite his name, or the amount due from a person or persons specified therein, in the same manner as town collectors. A tax warrant shall require the collector to collect the tax therein levied with his fees, and to return said warrant and the tax list to the trustee within sixty days after the date thereof, unless the time shall be extended.

§ 162. Delivery to collector.—A warrant for the collection of a tax voted by the district shall not be delivered to the collector until the thirty-first day after the tax was voted. A warrant for the collection of a tax not so voted may be delivered to the collector whenever the same is completed.

§ 163. Notice by collector.—The collector, on the receipt of a tax warrant, shall post notices in three public places in the district, one of which shall be on the outside of the front door of the schoolhouse, stating that he has received such warrant, and will receive all such taxes as may be voluntarily paid to him within two weeks from the time of posting said notice. If the whole amount of tax shall not be paid to the collector within that time, he shall forthwith proceed to collect the same.

§ 164. Notice to corporations.—A corporation subject to taxation in a school district, whose principal office is not in the district, may file with the clerk of the town a designation of a person, with his post office address, upon whom a notice of a school tax may be served. At least ten days before the expiration of the two weeks, the collector shall serve either personally or by mail a copy of the notice required by the last section upon a person so designated, and it shall be deemed a notice to the corporation. A notice served under this section shall also contain a statement of the amount of the tax assessed against such a corporation, together with the collector's fees.

§ 165. Notice to non-residents.—The collector shall also give a like notice to each non-resident whose tax is one dollar or more,

and whose residence or post office address is known to him, or which can be ascertained from the trustee or clerk.

§ 166. Collector may execute warrant in another county.—A district collector may execute a tax warrant in any county in which any part of the district is situated.

§ 167. Collector's fees.—The collector shall receive for his fees on all sums paid in within the two weeks, one per centum, and on all sums collected by him after the expiration of that time, five per centum, except that if a notice is not served upon a corporation, or a non-resident, as herein required, the collector shall only be entitled to one per centum upon the tax assessed against such corporation or non-resident. If a levy and sale shall be necessarily made by the collector, he shall be entitled to traveling fees at the rate of ten cents per mile, to be computed from the schoolhouse.

§ 168. When trustee may amend tax list.—If a trustee discovers an error in the tax list delivered by him to a collector, he may, with the written approval of the superintendent, amend and correct the same as directed by him in conformity with law; but such correction shall not be made until a tax which may have been improperly collected is refunded if required by the superintendent.

§ 169. Renewal of warrant.—The trustee may extend the time for the return of the warrant for an additional period of not more than sixty days. An extension of the warrant does not affect the bond given by the collector and his sureties.

§ 170. Collector to pay over money to treasurer.—The collector shall immediately pay to the treasurer all moneys received by him from taxes or otherwise, and shall report in writing at each annual meeting all his collections, receipts and disbursements during the preceding year. If the collector is also treasurer, all moneys received by him as collector shall be deemed to have been paid to him as treasurer.

§ 171. Collectors' return of unpaid taxes.—If a tax upon real property, or against a non-resident stockholder in a national bank, is unpaid when the collector is required to return his warrant, he shall deliver to the trustee a verified account of such unpaid taxes, with a description of the lands upon which the same were assessed. The verification must be to the effect that the taxes specified in the account remain unpaid, and that after diligent effort the collector has been unable to collect the same.

§ 172. Returns to be transmitted to county treasurer.—The trustee, upon receiving such account, shall compare it with the original tax list, and if found to be a true transcript, shall add his certificate to the effect that he has made the comparison and

found the account correct. He shall immediately transmit such account and certificate to the treasurer of the county.

§ 173. Treasurer to pay collector amount of unpaid taxes.—The county treasurer shall immediately pay to the collector the amount of the unpaid taxes stated in such account, with two per centum in addition thereto for the compensation of the collector. The board of supervisors may annually provide a fund for the payment of unpaid school taxes. If when such account is presented the treasurer has no funds applicable to the payment thereof, he shall immediately borrow the same on the credit of the county, and may issue his obligation therefor. The amount so borrowed is a charge on the county, and shall be levied and collected by the board of supervisors.

§ 174. Collection of unpaid taxes.—The treasurer shall present such account to the board of supervisors at its next annual meeting, who shall cause the amount of such unpaid taxes with seven per centum of the amount in addition thereto, to be levied upon the lands upon which the same were imposed; and upon a corporation, if any, owning such lands. When collected the same shall be paid to the county treasurer.

§ 175. Payment of tax before levy.—A person whose property is included in such account may pay the tax assessed thereon with five per centum added thereto, to the county treasurer at any time before it has been levied by the board of supervisors.

§ 176. Proceeding for collection of unpaid taxes.—The same proceedings in all respects shall be had for the collection of the amount so directed to be raised by the board of supervisors as are provided by law in relation to the county taxes; and, upon a similar account, as in the case of county taxes of the arrears thereof uncollected, being transmitted by the county treasurer to the comptroller, the same shall be paid on his warrant to the treasurer of the county advancing the same; and the amount so assumed by the state shall be collected for its benefit, in the manner prescribed by law in respect to the arrears of county taxes upon land of non-residents; or if any part of the amount so assumed consisted of a tax upon an incorporated company, the same proceedings may also be had for the collection thereof as provided by law in respect to the county taxes assessed upon such company.

§ 177. Non-resident stockholder in national bank.—If such unpaid taxes are imposed upon the stock of a non-resident stockholder in a national bank, the amount thereof with seven per centum in addition thereto, shall be a lien upon any dividend thereafter declared upon such stock; and upon notice to the bank by the clerk of the board of supervisors, the unpaid taxes and interest shall be paid by the bank to the collector of the town authorized to receive the

same, out of any dividends which may thereafter accrue. The notice to the bank shall be served in like manner and with the same effect as a summons in a court of record. If such taxes are not paid before the town collector returns the warrant, the amount thereof shall be paid by the bank in like manner to the county treasurer.

§ 178. Trustee may bring action to recover unpaid tax.—An action may be commenced by the trustee in his name of office to recover an unpaid tax. The trustee shall immediately pay all funds so collected by him to the treasurer.

§ 179. When tenant may charge owner for taxes paid.—A tenant of real property at will or for three years or less who pays a tax thereon lawfully assessed for the purpose of purchasing a site for a schoolhouse, or purchasing a building, keeping in repair or furnishing such schoolhouse with necessary fuel and appendages, may charge the owner of such property with the amount of the taxes so paid by him.

§ 180. Trustee to file tax warrant.—The trustee within fifteen days after the return of the tax list and warrant, shall file the same with the clerk of the town in which the collector resides.

§ 181. When collector liable for moneys lost.—If by the neglect of a collector any moneys collectible by him shall be lost to the district, he shall forfeit to the district the amount of the moneys thus lost, and shall account for and pay over the same to the treasurer in the same manner as if it had been actually collected. The treasurer may bring an action to enforce such liability, or if the collector is also treasurer, the action may be brought by the trustee, and any moneys collected by him in such action shall be used for the ordinary expenses of the district. The trustee may also maintain an action upon the bond of the collector for such loss, or for any other liability of the district incurred by him.

§ 182. Collector's bond.—The collector, within ten days after notice of his election or appointment, shall execute a bond to the trustee or board of education with one or more sureties to be approved by such trustee or board in the amount fixed by a district meeting, but if the amount has not been so fixed, then in such an amount as the trustee or board shall deem reasonable, conditioned for the faithful discharge of the duties of his office. The approval by the trustee or board must be endorsed on the bond, and it shall forthwith be filed in the office of the clerk of the town in which the collector resides. The clerk shall enter in a book to be kept by him for that purpose, a memorandum showing the date of such bond, the names of the parties and sureties thereto, the amount of the penalty thereof and the date and time of filing the same.

§ 183. Treasurer's bond.—The treasurer, within ten days after notice of his election or appointment, shall execute and deliver to the trustee or board of education his bond in such sum as shall have been fixed by a district meeting, or as such trustee or board shall require, which shall be in a penalty at least double the amount received for the ordinary expenditures of the district during the last preceding school year, with two sureties, approved by the trustee or board, conditioned to faithfully discharge the duties of his office, and to account for all moneys remaining in his hands. Such bond, with the written approval of the trustee or board endorsed thereon or annexed thereto, must be filed in the office of the clerk of the town in which the principal schoolhouse of the district is situated.

§ 184. Treasurer to be custodian of district moneys.—The district treasurer is the custodian of all moneys belonging to the district, from whatever source derived, and is entitled to receive and recover such moneys payable by any officer or person.

§ 185. Disbursement by treasurer; reports.—District moneys can be paid out by the treasurer only on the written order of the trustee. The treasurer shall render to each annual district meeting an itemized account of all moneys received and disbursed by him. He shall also make a like report to the trustee whenever required by him.

§ 186. Application of district money.—District school moneys shall not be used in the payment of the wages of an unqualified teacher. A trustee who directs or consents to such use is guilty of a misdemeanor, and a fine imposed upon him therefor shall be for the benefit of the district.

§ 187. Moneys may be raised by tax or bonds.—A district meeting may determine, by resolution, that an amount voted for building or purchasing a schoolhouse, or an addition thereto, or for the purchase of other real property, be raised in one tax, or that the amount be borrowed upon the credit of the district, and bonds or other obligations issued therefor.

§ 188. Bonds for improvements.—If a district meeting has voted that a tax for building a new schoolhouse or building an addition to a schoolhouse, or making additions, alterations and improvements to buildings or structures belonging to the district, or for the purchase of a new site, or for an addition to a site, be collected in installments, the school or municipal authorities shall borrow the money necessary and issue bonds or other evidences of indebtedness therefor, which shall be a charge upon the district and be paid at maturity.

§ 189. Sale of district bonds.—Bonds or other obligations of a district shall be signed by the trustee or president of the board of education and the treasurer, and attested by the clerk. They shall

become due within twenty years from the date of issue, and, unless the whole amount of the indebtedness represented thereby is to be paid within five years from their date, they shall be so issued as to provide for the payment of the indebtedness in equal annual installments, the first of which shall be payable not more than five years from their date. They shall bear interest at a rate not exceeding five per centum per annum, and shall be negotiated for not less than their par value. They shall be sold on sealed proposals or at public auction upon notice published in a newspaper actually printed in the district, if any, otherwise in such newspaper as the trustee may designate for that purpose, or they may be sold at private sale, if so determined by a district meeting. A notice of public sale must be posted in three public places in the district at least ten days before the sale, and the bonds or other obligations must be sold to the person who will pay the highest price therefor. They shall be consecutively numbered from one to the highest number issued, and the clerk shall keep a record of the number of each bond or obligation, its date, amount, the rate of interest, when and where payable, and the purchaser thereof or the person to whom they are issued.

The provisions of this section apply to a union school district conterminous with a city or village, except that in such a district the bonds shall be prepared by the board of education, signed by its president and secretary, and delivered to the treasurer of the city or village. He shall countersign the bonds and sell them in the manner above provided. The proceeds shall be credited to the board of education.

ARTICLE VIII.

FREE SCHOOL FUND, APPORTIONMENT AND DISTRIBUTION.

Section 200. Free school fund.

201. Temporary loans for deficiencies.
202. Apportionment of free school fund.
203. Certificate of apportionment.
204. Moneys when payable.
205. Supplemental apportionment.
206. Correcting error in apportionment.
207. Allowance to excluded districts.
208. Reclaiming excess in apportionment.
209. Deduction from next apportionment.
210. Comptroller may withhold moneys.
211. Withholding public money.
212. Apportionment by school commissioners.
213. Certificate of apportionment.

Section 214. Certificate to supervisor.

215. Certificate to be filed.

216. Supervisors bond for school moneys.

217. When commissioner may appoint person to disburse money.

218. Application of state school moneys.

219. Disposition of school moneys by supervisor.

220. Certain orphan schools to share in apportionment.

§ 200. Free school fund.—The free school fund consists of:

1. All moneys raised by state tax for school purposes.
2. All moneys borrowed to supply deficiencies in the payment of the state school tax.

3. The income of the common school fund and of the United States deposit fund appropriated for common schools.

4. All other moneys paid into the state treasury for the benefit of the common schools of the state.

§ 201. Temporary loans for deficiencies.—Whenever, after the first day of March in any year, in consequence of the failure of any county to pay such moneys on or before that day there shall be a deficiency of moneys in the treasury applicable to the payment of school moneys, to which any other county may be entitled, the treasurer and superintendent of public instruction are hereby authorized to make a temporary loan of the amount so deficient, and such loan, and the interest thereon at the rate of twelve per cent. per annum, until payment be made to the treasury, shall be a charge upon the county in default, and shall be added to the amount of state tax, and levied upon such county by the board of supervisors thereof at the next ensuing assessment, and shall be paid into the treasury in the same manner as other taxes.

§ 202. Apportionment of free school fund.—The state school moneys subject to apportionment and disbursement by the superintendent consist of the portions of the free school fund appropriated for the support of common schools. Within the first twenty days of January in each year the superintendent shall apportion such moneys as follows:

1. To each city, eight hundred dollars.

2. To each village which has a population of five thousand, as shown by the latest state census or federal or village enumeration, eight hundred dollars.

3. To each union school district which has a population of five thousand, and which employs a superintendent of schools, eight hundred dollars. The population must be determined by the superintendent and for that purpose an enumeration may be taken, at the expense of the district, or any other authorized enumeration may be adopted by him.

The apportionment shall not be made under either of the last three subdivisions, unless the superintendent is satisfied that such city, village or district employs a competent superintendent, who devotes his time exclusively to the public schools. An apportionment under either of the first three subdivisions of this section is known as a supervision quota.

4. For a contingent fund, not less than six thousand nor more than ten thousand dollars.

5. From the remainder to each city and district entitled thereto one hundred dollars; but a city or district is not entitled to such sum, unless it has made the reports required by law; nor unless the public school therein has been taught by a qualified teacher for at least one hundred and sixty school days during the last preceding school year, except that a holiday occurring on a day which would otherwise be a school day, and the time, not exceeding three weeks, during which a teacher is attending a teachers' institute in the county, shall be counted as a part of the required period.

The sum apportioned by this subdivision is known as a district quota.

6. To each such district, for each additional qualified teacher and his successors, by whom the school has been taught during the whole of said period, one hundred dollars; but pupils employed as monitors or otherwise shall not be deemed teachers.

7. The remainder to the several counties according to their respective population by a ratio to be ascertained by dividing such remainder by the population of the state as shown by the latest federal census or state enumeration; except that for the purpose of this apportionment The City of New York shall be considered one county, and that part of Queens not included in such city, one county. A separate apportionment shall also be made for each city wholly within a county.

8. He shall apportion and pay library moneys to the school districts entitled to participate therein so that each district will receive an amount equal to that which shall have been raised and used therein for library purposes either by tax or otherwise during the last preceding school year; and if the aggregate amount so raised and used shall exceed the sum appropriated for the support of libraries in common schools, such moneys shall be distributed to the several districts pro rata. If a surplus remains after such apportionment it shall be distributed to the districts in proportion to the amounts raised by them.

§ 203. Certificate of apportionment.—The superintendent, immediately upon the completion of an annual apportionment, shall cer-

tify it to the county clerk, county treasurer, school commissioners and the city treasurer or chamberlain in every city; and if it is a supplemental apportionment, to the county clerk, county treasurer and school commissioners of the county affected.

§ 204. Moneys, when payable.—The moneys so annually appropriated by the superintendent shall be payable on the next succeeding first day of April to the treasurers of the several counties, and the comptroller of the city of New York.

§ 205. Supplemental apportionment.—If the superintendent apportions to a county, part of a county or a school district, an amount less than it is entitled to receive, he may make up the deficiency by a supplemental apportionment, which shall be paid out of the contingent fund, if sufficient; if not, he shall include it in his next annual apportionment.

§ 206. Correcting error in apportionment.—If any error occurs in the apportionment by the commissioners by which the amount appropriated to a district is more, or less, than it is entitled to receive, they may in their next annual apportionment, with the approval of the superintendent, correct the error by increasing or reducing the share of such district.

§ 207. Allowance to excluded districts.—Whenever any school district shall have been excluded from participation in any apportionment made by the superintendent, or by the school commissioners, by reason of its having omitted to make any report required by law, or to comply with any other provision of law, or with any rule, decision, order or regulation made by the superintendent under the authority of law, and it shall be shown to the superintendent that such omission was accidental or excusable, he may, upon the application of such district, make to it an equitable allowance; and if the apportionment was made by himself, cause it to be paid out of the contingent fund; and, if the apportionment was made by the commissioners, direct them to apportion such allowance to it, at their next annual apportionment, in addition to any apportionment to which it may then be entitled.

§ 208. Reclaiming excess in apportionment.—If an error occurs in an apportionment by the superintendent by which the amount appropriated to a county, part of a county or school district, is more than it is entitled to receive, and such excess shall not have been distributed or apportioned among the districts or expended, so that it can not be reclaimed, the superintendent may reclaim such excess by directing any officer in whose hands it may be to pay it into the state treasury to the credit of the free school fund.

§ 209. Deduction from next apportionment.—If it be impracticable to reclaim such excess, then the superintendent shall deduct it from the amount apportioned to such county, part of

a county or district, in his next annual apportionment, and distribute the sum thus deducted equitably among the counties and parts of counties or school districts entitled to participate in such apportionment, according to the basis of the apportionment in which the excess occurred.

§ 210. Comptroller may withhold moneys.—The comptroller may withhold the payment of any moneys to which any county may be entitled from the appropriation of the incomes of the school fund and the United States deposit fund for the support of common schools, until satisfactory evidence shall be furnished to him that all moneys required by law to be raised by taxation upon such county, for the support of schools throughout the state, have been collected and paid or accounted for to the state treasurer.

§ 211. Withholding public money.—The superintendent may withhold any share of the public money of the state from any district for willfully disobeying any decision, order, rule or regulation made by him, or when otherwise authorized by law.

§ 212. Apportionment by school commissioners.—The school commissioners annually on the third Tuesday of March, at the county seat, shall apportion and divide the free school fund and other school moneys as follows:

1. They shall set apart to each city, village and district entitled thereto the several supervision and district quotas.

2. To every district which did not participate in the apportionment of the preceding year, and which the superintendent shall have excused, such equitable sum as he shall have allowed to it.

3. The sum to which a county is entitled shall be apportioned among the districts and parts of districts therein, according to a ratio to be ascertained by dividing such sum by the aggregate number of days of attendance in such districts and parts of districts.

The aggregate days of attendance must be ascertained by adding together the whole number of days attendance of resident pupils of school age, and also of resident children over four years of age who shall have attended any free kindergarten legally established in the district.

4. All sums in the county treasury to which the county or a city, town, village or district therein is entitled by gift, grant, devise or otherwise, for use in the payment of teachers' wages, shall be included in the apportionment. If such moneys belong to a county, they shall be added to the amount apportioned to the county by the superintendent. If they belong to any particular district, they shall be set apart and credited to it. If they belong to a town, they shall be added to the sum otherwise ap-

portioned to the town, and the whole sum shall be apportioned to the several districts and parts of districts therein, according to a ratio based upon the aggregate attendance.

§ 213. Certificate of apportionment.—They shall sign, in duplicate, a certificate, showing the amounts apportioned and set apart to each school district and part of a district, and the towns in which they are situated, and shall designate therein the source from which each item was derived; and shall forthwith deliver one of said duplicates to the treasurer of the county and transmit the other to the superintendent of public instruction.

§ 214. Certificate to supervisor.—They shall certify to the supervisor of each town the amount of school moneys so apportioned to his town, and the portions thereof to be paid by him for library purposes and for teachers' wages, to each such distinct district and part of a district.

§ 215. Certificate to be filed.—On receipt of the apportionment of the commissioner, the supervisor shall forthwith make a copy thereof for his own use and deposit the original in the office of the clerk of his town. The moneys appropriated to the town shall be paid to the supervisor immediately on the delivery by him to the county treasurer of the bond herein required.

§ 216. Supervisors' bond for school moneys.—Within ten days after the receipt by the supervisor of the certificate of apportionment, he shall execute and deliver to the county treasurer in behalf of the town his bond to the people of the state, with two or more sufficient sureties approved by the treasurer, in the penalty of at least double the amount of the school moneys, set apart or apportioned to such town, and also of all such moneys which he has received or is entitled to receive from his predecessor, conditioned that he will safely keep, disburse and account for such moneys, and of all other school moneys that may come into his hands from any other source. A supervisor appointed to fill a vacancy is not entitled to receive school moneys from his predecessor until he delivers to the treasurer a like bond in a penalty double the amount which he is entitled to receive from such predecessor. The moneys in the hands of such predecessor shall be paid upon the delivery to him by his successor, of a certificate of the county treasurer, showing that the bond herein required has been filed. Upon such payment the treasurer's certificate shall be immediately filed with the town clerk.

§ 217. When commissioner may appoint person to disburse money.—If a supervisor neglects to give a bond for school moneys within the time herein required, the school commissioner may appoint another officer or resident of the town as custodian to receive and disburse such school moneys, and upon his giving the bond

required herein of a supervisor, he shall be entitled to receive such moneys, and shall be subject to all the duties and liabilities herein imposed upon a supervisor, in relation thereto. The reasonable compensation of such custodian for his services must be audited by the board of supervisors and is a town charge.

§ 218. Application of state school moneys.—The state school moneys, except the amount appropriated for libraries, must be applied exclusively to the payment of the wages of qualified teachers, or for expenses of transportation and tuition under contracts for the education of pupils in other districts.

§ 219. Disposition of school moneys by supervisor.—The school moneys received by the supervisor must be paid by him to the treasurer of the district to which it is apportioned, upon the delivery to him of a copy of the treasurer's bond certified by the clerk of the town.

§ 220. Certain orphan schools to share in apportionment.—The schools maintained by incorporated orphan asylum societies other than those in The City of New York, shall participate in the apportionment and distribution of state school moneys in the same manner, under the same conditions, and to the same extent, as the common schools. Such schools shall be subject to the rules governing common schools, but shall continue under the immediate management and direction of the several societies. Such a school is deemed a district in the county in which it is situated for the purpose of apportionment, except that it is not entitled to a supervision or district quota, but shall be included in the apportionment based upon attendance.

ARTICLE IX.

COMPULSORY EDUCATION.

Section 230. Definitions.

- 231. Who must attend school.
- 232. Duty of parent.
- 233. State truant schools.
- 234. Local truant schools.
- 235. Joint truant schools.
- 236. Contracts with truant schools.
- 237. Truant districts.
- 238. Appointment of truant officers.
- 239. Truant officers in certain cities and villages.
- 240. Term of office.
- 241. Authority of truant officer.
- 242. Arrest of truants.
- 243. Second arrest.

Section 244. Examination and commitment by magistrate.

245. Term of commitment.

246. Report of arrest.

247. Parole of truants.

248. Industrial training.

249. Record of equivalent instruction.

250. Limitation on employment of children.

251. Superintendent to make rules.

252. Reports.

253. Expenses, how paid.

254. Withholding state moneys by superintendent.

§ 230. Definitions.—The term “parent,” as used in this article, means the father, mother, guardian, or other person, who has the lawful care, custody or control of a child.

The term “child,” as used in this article, means a person subject to its provisions, who is between six and sixteen years of age, and is in proper physical and mental condition to attend school.

The term “truant,” as used in this article, means a child between six and sixteen years of age, found away from his home, and unlawfully absent from school.

§ 231. Who must attend school.—Every child shall regularly attend upon instruction at a common school, or upon equivalent instruction by a competent teacher elsewhere, as follows:

1. Between seven and fourteen years of age, each school day on which the school is in session between October first and June first.

2. Between fourteen and sixteen years of age, on each school day on which the school is in session, unless regularly and lawfully engaged in useful employment or service.

3. If such a child attends upon instruction elsewhere, the instruction shall be substantially equivalent to that given to children of like age at the public schools of the city or district in which he resides, and he must attend as many hours each day as are required of children of like age at such public schools.

§ 232. Duty of parent.—Each parent shall cause such child to so attend upon instruction as herein required, or shall present to the school authorities proof by affidavit that he is unable to compel such attendance. A violation of this section is a misdemeanor, punishable for the first offense by a fine not exceeding five dollars, and for each subsequent offense by a fine not exceeding fifty dollars, or by imprisonment not exceeding thirty days or both such fine and imprisonment. In cities of the first class, police magistrates shall have jurisdiction of all violations under this article.

§ 233. State truant schools.—The state superintendent may:

1. Acquire by purchase or condemnation, or may hire, real property, and erect buildings for the establishment of a state truant school. The title to real property so acquired must be taken in the name of the state, and approved by the attorney-general.

2. Maintain such school and furnish and equip it with necessary apparatus and appliances.

3. Employ teachers and needed assistants therefor and prescribe and regulate the course of instruction and discipline therein.

A state truant school may be established for each judicial district, or for two or more districts, as the superintendent may determine. If a state school is established, the superintendent may direct the discontinuance of any local truant school, and thereafter children who might otherwise be sent to such school, shall be sent to a state school.

§ 234. Local truant schools.—The school authorities may establish a school or set apart a separate room in a public school building for habitual truants, or for children who are insubordinate or disorderly during their attendance at school. Such a school or room is known as a truant school, and the authorities may provide for the confinement, maintenance and instruction of such truants or children therein.

§ 235. Joint truant schools.—The authorities of two or more districts may unite in the establishment and maintenance of a joint truant school. Each district so uniting shall bear its proportion of the expense.

§ 236. Contracts with truant school.—The school authorities of a city or district which has no truant school may contract with another city or district which has such a school, or with a private school, orphans' home or other similar institution, for the confinement, maintenance and instruction therein of children who may be lawfully committed to a truant school under this article. A school which is the subject of such a contract thereupon becomes the truant school of the city or district where such children reside.

A contract shall not be made under this section with a private school, orphans' home, or other similar institution, unless the course of study therein includes the subjects required by this chapter to be taught in a public school, and is otherwise approved by the state superintendent.

§ 237. Truant districts.—Each school commissioner shall divide his district into convenient truant districts to be composed of one or more school districts. A duplicate of such order shall be filed with the clerk of each school district affected thereby. A city, village or district which employs a superintendent of

schools cannot be included in such a truant district. A commissioner may at any time modify an order made under this section, and establish new truant districts. All orders creating truant districts shall, so far as practicable, be made during the month of July.

§ 238. Appointment of truant officers.—The school authorities of the districts composing a truant district may within twenty days after the filing of the order of the commissioner, by a written instrument under the hands of the authorities representing a majority of such districts, appoint a truant officer for such district. Such appointment shall be made in duplicate, one of which shall be delivered to the commissioners, and the other filed in the office of the county clerk. If such appointment is not made within the time herein limited, the commissioner shall appoint a truant officer and file the appointment in the office of the county clerk. The county clerk upon the filing of an appointment of a truant officer shall immediately transmit a certified copy to the state superintendent. The expense thereof is a county charge.

§ 239. Truant officers in certain cities and villages.—The school authorities of each city, village or district which has a superintendent of schools, shall annually in the month of August appoint, and may at pleasure remove, an officer to be known as truant officer. If a city is divided into districts for school purposes, a truant officer may be appointed for each district.

If a truant officer is not appointed during the time herein prescribed, the state superintendent shall make such appointment. An appointment must be in writing and filed with the secretary or clerk of the board of education.

§ 240. Term of office.—A truant officer shall hold his office during the current school year, unless removed, and until his successor is appointed. A commissioner may remove a truant officer at any time and appoint a successor.

§ 241. Authority of truant officer.—A truant officer, for the purpose of enforcing the provisions of this chapter, may enter any building where a child is employed.

§ 242. Arrest of truants.—A truant may be arrested by a truant officer without warrant. Such truant upon his first arrest shall be delivered either to his parent, or to the teacher of the school from which he is a truant.

§ 243. Second arrest.—Upon second arrest the truant officer shall immediately notify the parent and also the superintendent of schools of the city, or the president of the board of education, or the trustee, of such arrest, and shall in the meantime keep the child in his custody. If the parent consents thereto, in writing, the child may be committed to a truant school, by the school

authorities, or in a city, village or district, which has a superintendent, such commitment may be made by him.

§ 244. Examination and commitment by magistrate.—If the parent does not consent, the child shall be forthwith taken by the truant officer before a magistrate, who shall immediately examine the matter. If satisfied that the child is an habitual truant, or is insubordinate or disorderly while in attendance upon instruction, he shall commit him to the truant school. If there is no truant school in the city or district where the child resides, he shall be committed to the nearest truant school. But if the commitment is to a private school, orphan asylum or other similar institution designated as a truant school, it must be to one which represents the religious faith of the parent, unless such parent consents, in writing, to a commitment elsewhere.

§ 245. Term of commitment.—A child cannot be committed to a truant school nor detained therein for a longer time than the remainder of the current school year, and the time shall be stated in the commitment.

§ 246. Report of arrest.—A truant officer shall promptly report each arrest to the school authorities of his city or district, and the disposition made by him of the truant.

§ 247. Parole of truants.—A child committed to a truant school may be paroled;

1. If to a state school, by the state superintendent.

2. If to a local school, and the city, village or district from which such child is committed has a superintendent of schools, by such superintendent; and elsewhere by the school authorities.

The state or local superintendent or school authorities may prescribe the conditions of such parole, and for a violation thereof, the child may be again arrested, and shall be recommitted to the truant school.

§ 248. Industrial training.—Industrial training shall be furnished in every truant school.

§ 249. Record of equivalent instruction.—If a child receives instruction under this article elsewhere than at a public school, the superintendent may require from the teacher or other person who gives such instruction, such information from time to time as he may deem necessary, and he shall at the expense of the state furnish to such teacher or other person, blanks for any records or other reports required by him. The records so kept shall be subject to inspection at all reasonable hours by the state superintendent, the school commissioner, and the school authorities and truant officers of the city or district. A person who refuses to give any information required under this article, or to answer any

inquiry relating to such child, by any such officer, is guilty of a misdemeanor.

§ 250. Limitation of employment of children.—The right to employ a child is subject to the following limitations:

1. A child between seven and fourteen years of age can not be employed in any business or service during any part of a term of a public school.

2. A child between fourteen and sixteen years of age can not be so employed, unless at the time of his employment he presents a certificate signed by the superintendent or principal teacher of the schools of the city or district in which he resides, that he has complied with the law relating to attendance at school during the preceding school year; or if the contract of employment is made during the school term, that the child has attended school for the required time during the current school year.

Nothing in this section shall be so construed to affect the provisions of the labor law relating to the employment of children. A person who violates the provisions of this section shall for each offense forfeit and pay to the city or district a penalty of fifty dollars.

§ 251. Superintendent to make rules.—The state superintendent shall prescribe the duties of truant officers and make rules for the enforcement of this article.

§ 252. Reports.—The superintendent may require reports from school authorities in such form and containing such information as he may prescribe, concerning the operation of this article; and shall include a summary of the same in his annual report to the legislature.

§ 253. Expenses, how paid.—The expenses attending the commitment and maintenance of any truant residing in a city, village or district employing a superintendent of schools, including the compensation of truant officers and magistrates, shall be a charge against such city, village or district, and in all other cases shall be a county charge. Where the compensation of a truant officer is a county charge, he is entitled to receive two dollars for each day necessarily spent by him in the performance of his duty.

§ 254. Withholding state moneys by superintendent.—The state superintendent may withhold one-half of the state school moneys apportioned to a city or district, if in his judgment the school authorities thereof wilfully neglect or refuse to enforce the provisions of this article, after due notice; but such moneys so withheld shall be immediately paid to the city or district upon its compliance with such provisions, or with any rule or order made by the superintendent in relation thereto.

ARTICLE X.

TEACHERS' QUALIFICATIONS, CERTIFICATES AND CONTRACTS.

Section 265. Superintendent to determine teachers' qualifications.

266. Qualified teacher.

267. State certificates.

268. Examination for state certificates.

269. College graduates' certificate.

270. Endorsement of foreign diplomas and certificate.

271. Temporary licenses.

272. Normal school diploma.

273. Instruction of teachers in universities and colleges.

274. Other certificates.

275. Special qualifications.

276. Revocation of teachers' authority.

277. Additional grounds of revocation.

278. Notice of revocation.

279. Teachers' contracts.

280. Limitations on agreement.

281. Teachers' wages; when payable.

282. When wages not a district charge.

283. Teachers' record of attendance.

284. Dismissal of teacher.

§ 265. Superintendent to determine teachers' qualifications.—The superintendent has exclusive jurisdiction to determine the qualifications of teachers in the public schools. The merit and fitness of candidates shall be ascertained so far as practicable by examinations, which, so far as practicable, shall be competitive. The superintendent shall prescribe rules relating to examinations and certificates or other authority to teach.

§ 266. Qualified teacher.—A qualified teacher is one who holds the certificate, diploma or license authorized by this article, and which has not been revoked or annulled.

§ 267. State certificates.—The superintendent may grant a certificate of qualification to teach. Such certificate shall be known as a state certificate. It entitles the holder thereof to teach in any public school without further examination or requirement.

§ 268. Examination for state certificates.—A state certificate can only be granted after an examination of the applicant. The superintendent shall determine the time, place and manner of such examination, and may designate persons to conduct the same and report the result to him. An examination for a state certificate shall be held at least once in each year, and public notice thereof shall be given by the superintendent.

§ 269. College graduates' certificate.—The superintendent may grant a certificate to a graduate of a registered college or university who has had three years' experience as a teacher, authorizing him to teach in such schools and for such time, not exceeding ten years, as may be fixed therein. Such certificate is known as a college graduate's certificate. Such a certificate may be renewed from time to time by the superintendent.

§ 270. Endorsement of foreign diplomas and certificate.—The superintendent may endorse:

1. A diploma issued by a state normal school in another state;
2. A certificate issued by a state superintendent of public instruction or state board of education in another state.

Such endorsement confers upon the holder of such diploma or certificate the privileges conferred by law upon the holder of a normal school diploma or state certificate issued in this state.

§ 271. Temporary licenses.—The superintendent may issue a temporary license to teach for a period not exceeding six months, limited to a particular school or commissioner district.

§ 272. Normal school diploma.—A diploma granted by a state normal school, when signed by the superintendent, the chairman and secretary of the local board, and the principal of the school, entitles the holder thereof to teach in the public schools, without further examination.

§ 273. Instruction of teachers in universities and colleges.—If a university or college in this state maintains an education department or teachers' training class, and the course and period of instruction therein are approved by the state superintendent, he shall, after satisfactory examination under his direction, issue to every graduate of such department or class a certificate of qualification to teach in any public school, valid for a period of three years; and after the holder thereof shall have had three years' successful experience in teaching, the superintendent may grant to him a certificate which shall entitle him to teach in any public school without further examination or requirement. The superintendent may at any time visit and inspect such education department or training class.

§ 274. Other certificates.—The superintendent may also provide other certificates, to be issued to teachers after such examination, on such conditions, and for such time not exceeding five years, as he may prescribe. Such certificates may be classified by grades or by schools or otherwise.

§ 275. Special qualifications.—Power to grant authority to teach is subject to the following limitations:

1. A person can not be authorized to teach in the public schools who is under eighteen years of age; or

2. Who has not passed a satisfactory examination in physiology and hygiene, with special reference to the effects of alcoholic drinks and stimulants upon the human system.

3. In a city authorized to employ a superintendent of schools, a person shall not be employed or licensed to teach in the primary or grammar schools who has not:

a. Completed a four years' course in and graduated from a high school, academy or other institution of learning of equal or higher rank; in which case the course of study and school to be approved by the superintendent; or

b. Subsequent to such graduation had at least three years experience in successful teaching, or in lieu of such experience graduated from a teachers' training class having a course of study of not less than thirty-eight weeks approved by the superintendent.

The limitations prescribed in subdivision three do not apply to the holder of a state normal and training school diploma, or to a state certificate granted after examination, nor to a foreign diploma or certificate endorsed by the superintendent.

§ 276. Revocation of teachers' authority.—Authority to teach in the public schools may be revoked as herein provided:

1. A certificate or license may be revoked by the officer granting it.

2. A school commissioner may hear and determine any charge affecting the moral character of a teacher within his district. If the charge is sustained, the commissioner may annul the teacher's certificate or other authority, by whomsoever granted, and may declare him unfit to teach. If the teacher holds a certificate or diploma granted, signed or endorsed by the superintendent, the commissioner shall immediately notify him of such annulment or declaration.

3. The superintendent may annul a school commissioner's certificate, or may declare a normal school diploma ineffectual as a qualification to teach.

4. The superintendent may revoke his endorsement of a foreign diploma or certificate.

§ 277. Additional grounds of revocation.—A teacher who willfully refuses:

1. To teach the nature of alcoholic drinks and other narcotics, and their effects on the human system, as required by this chapter;

2. To attend a teacher's institute;

3. To fully perform an agreement to teach a term of school;

Is deemed to have forfeited his right to teach, and his authority may thereupon be revoked by the superintendent or the commissioner.

§ 278. Notice of revocation.—All revocations of a teacher's authority must be for cause and after notice to the person affected, and a reasonable opportunity to be heard in his defense.

§ 279. Teachers' contracts.—The employment of a teacher shall be by a written contract, which must be signed by him and the trustee, board or other officer with whom it is made. Such contract shall clearly state the agreement between the parties, and particularly the term of employment, the agreed compensation, and the time of payment. A teacher is not deemed employed under this chapter until such contract is executed. The contract or a duplicate thereof shall be filed with the district clerk.

§ 280. Limitations on agreement.—The right of a trustee or other officer to make a contract under the last section is subject to the following limitations:

1. It cannot be made with a person who is related to such trustee or other officer by blood or marriage, except with the approval of two-thirds of the qualified voters present and voting on the question at a district meeting.

2. It cannot be made for a term to begin after the expiration of his official term.

3. It cannot be made for a shorter time than ten weeks, unless for the purpose of completing an unexpired term of school.

4. It cannot be made with a teacher who does not hold a certificate of qualification which covers the period of contemplated service.

The term "trustee" under subdivision one, includes also a member of a board of education, and the employment of a teacher who is related to such a member by blood or marriage, can be made only upon the written approval of two-thirds of the members of the board.

Subdivision two does not apply to an agreement made by a board of education.

Subdivisions three and four apply to such a board.

§ 281. Teachers' wages; when payable.—The compensation of a teacher in a public school is due and payable at the end of each calendar month during the term of employment, but the contract may provide for more frequent payments.

§ 282. When wages not a district charge.—A person employed to teach without an agreement as herein provided cannot recover his wages of the district, but the trustee who employs him is liable individually for such wages.

§ 283. Teachers' record of attendance.—Each teacher shall keep a school record in which shall be entered:

1. The names and ages of the pupils attending school.

2. The names of the persons who send them.

3. The year, month and day of the month, and the number of days each pupil attends.

4. The date of each inspection of the school by the commissioner or other official visitor.

5. Any other facts required by the superintendent.

The record shall be kept in such form and manner as the state superintendent may prescribe. The entries in such record shall be verified by the teacher, and it shall constitute the school list from which the average daily attendance of the school shall be determined. A teacher is not entitled to any compensation until such record is verified. Each teacher is responsible for the record kept by him, and shall at the close of his engagement deliver it to the district clerk, or the clerk or secretary of the board of education.

§ 284. Dismissal of teacher.—A teacher may be removed by the trustee at any time for neglect of duty, incapacity to teach, immoral conduct, or other sufficient cause.

ARTICLE XI.

TEACHERS' INSTITUTES AND TRAINING CLASSES.

Section 295. Superintendent to appoint institutes.

296. Commissioner to give notice of institutes.

297. Institute, where held.

298. Duty of school commissioner.

299. Report of institute; expenses how paid.

300. Schools to be closed during institute.

301. Report of trustee.

302. When teacher entitled to wages.

303. When other person entitled to wages.

304. Teachers' training classes.

305. Visitation of classes.

306. Regulations.

307. Terms of instruction.

308. Training classes in certain cities and villages.

§ 295. Superintendent to appoint institutes.—The superintendent shall annually provide for teachers' institutes as follows:

1. He shall appoint an institute in each commissioner district, or for two or more commissioner districts, for the benefit and instruction of teachers in the public schools, and of such persons as intend to become teachers, with special reference to the presentation of subjects relating to the principles of education and methods of instruction. He may, after consultation with

the commissioner, determine the duration of each institute and designate the time and place of holding the same.

2. He shall establish and maintain one or more summer institutes, with a course of at least three weeks' duration, at such convenient and accessible points as may be designated by him. Admission to such institutes and all the advantages thereof shall be free to all teachers of the state, and those preparing to teach therein. Persons not intending to teach may also be admitted under such regulations, and upon the payment of such tuition, as the superintendent may prescribe. He may provide for examinations thereat and also for certificates of qualifications to be issued to graduates.

3. He may employ suitable persons, at a compensation to be fixed by him, to supervise and conduct the institutes, and may also provide for additional instruction. He shall establish such regulations for the government of institutes as he may deem best. He shall, whenever practicable, visit the institutes or cause them to be visited by representatives of his department, for the purpose of examining into the course and character of the instruction given, and of rendering such assistance as he may find expedient.

§ 296. Commissioner to give notice of institutes.—The school commissioner, under the direction of the superintendent, shall notify all teachers, trustees, boards of education and other persons in his district who may desire to become teachers, of the time and place of holding each institute.

§ 297. Institute, where held.—The commissioner has the right to hold an institute in any school building in any district which receives state school moneys, without expense therefor to the state, beyond a reasonable allowance to the district for lighting, heating and janitor service, and he shall take proper care of the building and see that it is left in good condition.

§ 298. Duty of school commissioner.—The school commissioner shall:

1. Make all necessary arrangements for holding the institute.
2. Attend to all the necessary details connected therewith.
3. See that a suitable room is provided.
4. Assist the conductor in the organization.
5. Keep a record of all teachers in attendance.
6. Notify the trustees of the number of days attended by the teachers of the various districts.

§ 299. Report of institute; expenses, how paid.—The commissioner, or the conductor of a summer institute, shall transmit to the superintendent at the close of each institute:

1. A full report thereof, including a list of all teachers in attend-

ance, the number of days attended by each, and such other statistical information as may be required.

2. A full verified statement of all expenses incurred by him in carrying on the institute, with vouchers for all expenditures. The expenses incurred in holding an institute shall be paid by the comptroller on the certificate of the superintendent.

§ 300. Schools to be closed during institute.—All schools in a commissioner district where or for which an institute is held, shall be closed while it is in session. This provision does not apply to schools in a city. It is the duty of each teacher to attend the institute, and he is entitled to full wages for the time spent therein. A teacher's contract of employment is not affected by his attendance at an institute.

§ 301. Report of trustee.—Each trustee shall state in his annual report to the commissioner the number of days and the dates thereof on which a teacher's institute was held in the commissioner district during the school year, and whether the schools under his charge were or were not closed during such days. In the apportionment of state school moneys, the schools which are closed while a teacher is in attendance at an institute during the term shall be allowed the same average pupil attendance during such time as the average weekly aggregate during the week next preceding the institute; and a school which continues its sessions during an institute shall not be allowed any public money based upon the aggregate attendance for the period during which the institute was held.

§ 302. When teacher entitled to wages.—A person who has entered into a contract to teach in a district school, and who afterwards attends an institute in that commissioner district, is entitled to receive from the district wages for such attendance at the contract rate, even though at that time, the school has not opened or is not in session.

§ 303. When other person entitled to wages.—A person who attends an institute during its entire period, and afterwards enters into a contract to teach in the same commissioner district within the current school year, is entitled to receive from the district, wages at the contract rate for the time of such attendance, the same as if such school had been then in session.

§ 304. Teachers' training classes.—The superintendent shall provide for a course of instruction in the science and practice of common school teaching, in academies and union schools and high schools which, with their consent, shall be designated by him, among the commissioner districts as equitably as may be, with reference to the number of school districts in each, and the location and character of the institutions selected.

Every academy and school so designated shall instruct a class

of not less than ten nor more than twenty-five scholars, and such class is known as a teachers' training class. Each academy and school in which such instruction is given shall be paid by the comptroller on the certificate of the superintendent, at the rate of one dollar for each week's instruction for each scholar who has attended during the time herein required; but the sum allowed for such instruction shall be at least five hundred dollars.

§ 305. Visitation of classes.—A teachers' training class is subject to the visitation of the commissioner, and he shall advise and assist the principals of academies or schools in the organization and management thereof. He shall, at the close of the term of instruction, under the direction of the superintendent, examine the students in such classes, and issue teachers' certificates to those who possess the necessary qualifications.

§ 306. Regulations.—The superintendent shall prescribe the conditions of admission to the class, the course of instruction and the rules under which said instruction shall be given, and shall determine the number of classes which may be formed in any one year in an academy or school so designated, and the length of time exceeding thirty-six weeks during which such instruction may be given.

§ 307. Term of instruction.—Instruction shall be free to all scholars admitted to such classes who have continued therein during the required time.

Each scholar must continue under instruction not less than thirty-six weeks, except that if it appears to the satisfaction of the superintendent that a pupil admitted to such a class has been prevented from attending the same for the full time of thirty-six weeks, or that such class has not been held for the full term of thirty-six weeks, he may excuse such default and allow an academy or school pay for such scholar for the time actually spent in attendance or during which such class shall have been instructed, at the rate fixed in the last section.

§ 308. Training classes in certain cities and villages.—The board of education, or other school authorities of any city, or of any village which employs a superintendent of schools, may establish, maintain, direct and control one or more schools or classes for the professional training of teachers in the course of instruction, and under the regulations, prescribed by the state superintendent. Such schools or classes must be maintained at least thirty-eight weeks in each school year. The local superintendent of schools shall report to the state superintendent, whenever required, the time during which such a teacher's training class or school has been maintained, and the number of pupils who have attended the same.

Each such city or village which maintains such a training school or class for the period herein required, shall be entitled to one dollar for each week of instruction of each pupil, which shall be paid by the comptroller on the certificate of the state superintendent.

ARTICLE XII.

NORMAL SCHOOLS.

Section 315. Normal schools.

316. Duty of superintendent.

317. Nonresident pupils may be admitted.

318. Appointment and supervision of local boards.

319. Officers of local board; rules.

320. Powers and duties of treasurer.

321. When superintendent may take charge of school.

322. Custody of property.

323. Insurance of property.

324. Local boards may take by gift, grant or devise.

325. Special police.

326. Person arrested to be taken before magistrate.

327. Appointment of Indian pupils.

328. Who entitled to privileges of normal school.

329. Tuition money.

330. Annual report of local board.

331. Estimates of expenses.

§ 315. Normal schools.—The state normal schools heretofore established at Albany, Brockport, Buffalo, Cortland, Fredonia, Geneseo, Jamaica, New Paltz, Oneonta, Oswego, Plattsburgh and Potsdam, are continued. The school at Albany is known as the State Normal College, and is subject to this chapter and also any other general law relating to normal schools. The executive committee of the State Normal College shall hereafter be known as the local board of trustees thereof, and is subject to all the provisions of law relating to such a board.

§ 316. Duty of superintendent.—The superintendent shall:

1. Determine the number of teachers to be employed in each school, and fix their compensation.

2. Decide upon the number of pupils to be admitted to each school.

3. Prescribe the time, manner and conditions of the appointment of pupils, which appointment shall be apportioned among the several counties, as nearly as practicable, according to population.

§ 317. Non-resident pupils may be admitted.—The superintend-

ent may admit to a normal school non-residents of the state, on the payment of tuition fees prescribed by him.

§ 318. Appointment and supervision of local boards.—Each normal school shall be under the immediate supervision and management of a local board of trustees, but such local board shall be under the general supervision and direction of the superintendent, except that the board of trustees of the Albany normal college shall be under the joint supervision of the state superintendent and the regents. The existing boards are continued, subject to the power of removal herein prescribed. An appointment to fill a vacancy shall not be made until the number of trustees is less than nine. Thereafter the board shall be composed of nine trustees, and a vacancy shall be filled by appointment by the superintendent. If, when this chapter takes effect, a local board consists of less than nine members, the superintendent, within twenty days thereafter, shall appoint the additional trustees required to make the number nine. A trustee heretofore or hereafter appointed may be removed for cause by the superintendent with the concurrence of the chancellor of the university, after notice, and an opportunity to be heard.

§ 319. Officers of local board; rules.—Each local board may:

1. Appoint one of its number president, one secretary, and another treasurer of the board. The secretary may also be treasurer. In the absence of any officer another member may be appointed for the time to fill his place and perform his duties.

2. Subject to the approval of the superintendent, make, alter, amend or repeal rules for the government of the school, employ teachers, and prescribe the course of study.

§ 320. Powers and duties of treasurer.—The treasurer of each normal school shall:

1. Give an undertaking to the people of the state for the faithful performance of his trust, in an amount fixed by the superintendent. The undertaking shall be approved by the superintendent and filed in the office of the comptroller.

2. Receive and have the custody of all moneys payable to or for the school.

3. Deposit all such money in a bank designated by the superintendent, in his name as treasurer, and whenever required render a verified account to the board or to the superintendent, showing the condition of the funds of the school. A bank so designated shall, before any deposit is made, execute a bond to the people of the state in a sum approved by the superintendent, for the safe keeping of the funds deposited. Such bond shall be filed in the office of the comptroller.

4. Pay out all money deposited for the uses of the school upon

the order of the president of the board, countersigned by the secretary, in accordance with the estimate approved by the superintendent.

5. Keep full and accurate accounts of all receipts and payments in the manner directed in the rules of the board, and according to the forms prescribed by the superintendent.

§ 321. When superintendent may take charge of school.—If a local board neglects or refuses to perform any duty imposed upon it by law, the superintendent may take possession of any property under its supervision, employ teachers, and carry on the school.

§ 322. Custody of property.—Each local board shall have the custody and management of the grounds and buildings provided or used for the purpose of the school, and other property of the state pertaining thereto, and may protect, preserve and improve the same.

§ 323. Insurance of property.—Each local board shall keep the property under its supervision insured for the benefit of the state. If property insured is injured or destroyed, the proceeds of the insurance shall be deposited by the insurer to the credit of the local board in a bank designated by the superintendent, and shall be used by such board, subject to the approval of the superintendent, to repair, rebuild or replace the property injured or destroyed.

§ 324. Local boards may take by gift, grant or devise.—A local board, with the approval of the superintendent, may accept for the state the gift, grant, devise or bequest of money or other property, and apply the same to any purpose not inconsistent with the general purposes of the school, which may be prescribed in the instrument by which such gift, grant, devise or bequest is made.

§ 325. Special police.—Each local board may appoint and at pleasure remove a special policeman. Such a policeman possesses the powers and is subject to the liabilities of a constable. He shall:

1. Preserve order and prevent disturbances and breaches of the peace in and about the buildings, and on or about the grounds used by the school, or pertaining thereto.

2. Protect and preserve such buildings and property from injury, and arrest any person making a loud or unusual noise, or causing any disturbance, committing any breach of the peace, or misdemeanor, or a wilful trespass upon such grounds, or in or upon such buildings or any part thereof.

§ 326. Person arrested to be taken before magistrate.—A person arrested under the last section shall be immediately taken

by the policeman before a magistrate of the city, village or town in which the school is situated. The policeman shall at the same time present to the magistrate a statement of the offense charged. If the offense is a misdemeanor, the defendant shall be punished by a fine of not more than twenty-five dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

§ 327. Appointment of Indian pupils.—The superintendent may annually appoint not more than ten resident Indian youths as pupils in the normal schools. Such pupils must be sixteen years of age, and shall be apportioned, as nearly as may be, among the several Indian bands in the state. A pupil so appointed is entitled to all the privileges of a normal school, and shall be supported and educated therein at the expense of the state, for such period as the superintendent may prescribe, not exceeding three years. The local board shall pay the necessary traveling expenses of each pupil, upon the certificate of the superintendent.

§ 328. Who entitled to privileges of normal school.—The privileges of the normal department of a normal school are free to all resident pupils who comply with the rules prescribed by the superintendent of public instruction.

§ 329. Tuition money.—Tuition money shall be used for the general purposes of the school.

§ 330. Annual report of local board.—Each local board shall annually on the first day of January transmit to the superintendent in such form as he may prescribe a report showing in detail its receipts and expenditures during the last preceding year, the condition of the school, and such other facts as the superintendent may require. The report must be verified by the president and secretary.

§ 331. Estimates of expenses.—The local board shall from time to time present to the superintendent a verified itemized statement of the amounts estimated to be needed for carrying on the school. The superintendent shall examine and may revise such estimate, and he shall draw his warrant on the state treasurer in favor of the treasurer of the local board, for the amount approved by him.

ARTICLE XIII.

TEXT BOOKS AND SPECIAL INSTRUCTION.

Section 340. Free text books.

341. Adoption of text books.

342. Change of text books.

343. Penalty for violation.

344. Instruction concerning stimulants and narcotics.

Section 345. Minimum time of instruction.

- 346. Primary scholars.
- 347. School authorities to furnish facilities.
- 348. Requirement of text books.
- 349. Examination by regents.
- 350. Instruction in normal schools, institutes, etc.
- 351. When not to share in school money.
- 352. When institute or training class entitled to school money.
- 353. Affidavits by school authorities.
- 354. Affidavit by school commissioner.
- 355. Affidavit by principal of normal school.
- 356. Superintendent to furnish blanks.
- 357. When superintendent to withhold school money.
- 358. Instruction in natural history.
- 359. Free instruction in industrial or freehand drawing.
- 360. Evening schools.
- 361. Vocal music.
- 362. Kindergartens.
- 363. Industrial training in schools.

§ 340. Free text books.—A district meeting may vote a tax for the purchase of text books for free use in the schools. The trustee or board of education may establish rules concerning the use of such books and their care, preservation and custody. Such a tax can only be voted at a special district meeting, or at an annual meeting where a notice has been given in the manner required for a special meeting, that the proposition to vote such a tax will be then considered.

§ 341. Adoption of text books.—In a common school district an annual meeting, by a two-thirds vote of the qualified voters present and voting, shall designate and adopt the text books to be used in the school. Elsewhere the board of education or other authorities in charge of the school shall designate and adopt the text books.

§ 342. Change of text books.—A text book so adopted shall not be superseded by another book within a period of five years from such adoption, except upon a three-fourths vote of the qualified voters present and voting at an annual meeting in a common school district, or elsewhere by a three-fourths vote of the board of education or other school authorities by which such book was adopted.

§ 343. Penalty for violation.—A person who violates any of the foregoing provisions is liable to a penalty of not less than fifty dollars nor more than one hundred dollars for each violation, to be sued for by any taxpayer of the district, and such penalty

when collected shall be paid to the treasurer for the benefit of the district.

§ 344. Instruction concerning stimulants and narcotics.—The nature of alcoholic drinks and other narcotics, and their effects on the human system, shall be taught in connection with the various divisions of physiology and hygiene, as thoroughly as other branches, in all schools under state control, or supported wholly or in part by state school moneys or local taxation.

§ 345. Minimum time of instruction.—All pupils below the second year of the high school and above the third year of school work, computed from the beginning of the lowest primary, not kindergarten year, or in corresponding classes in ungraded schools, shall be taught and study the subjects mentioned in the last section every year with suitable text books in the hands of all pupils, for not less than three lessons a week for ten or more weeks, or the equivalent of the same in each year, and must pass satisfactory tests in these studies before promotion to the next succeeding grade or year's work; except that where there are nine or more school years below the high school, the study may be omitted in all years above the eighth year and below the high school, by such pupils as have passed the required tests of the eighth year. In ungraded schools the superintendent shall classify the work as nearly as may be to conform to the foregoing provisions.

§ 346. Primary scholars.—Pupils in the lowest three primary, not kindergarten, school years, or in corresponding classes in ungraded schools, shall in each year be instructed in the same subject orally for not less than two lessons a week for ten weeks, or the equivalent of the same in each year, by teachers using text books adapted for such oral instruction as a guide and standard, and such pupils must pass the same tests in this study as may be required in other studies before promotion to the next succeeding year's work. This subject may also be taught in kindergartens.

§ 347. School authorities to furnish facilities.—The trustee, board of education or other authorities in charge of a school, shall provide needed facilities and a definite time and place for this branch in the regular course of study.

§ 348. Requirement of text books.—The text books to be used shall be graded to the capacities of fourth year, intermediate, grammar and high school pupils, or to corresponding classes in ungraded schools. For students below high school grade such text books shall give at least one-fifth their space, and for students of high school grade shall give not less than twenty pages, to the nature and effects of alcoholic drinks and other narcotics. This subject must be treated in the text books in connection with the

various divisions of physiology and hygiene, and pages on this subject in a separate chapter at the end of the book shall not be counted in determining the minimum. A text book on physiology which does not conform to the foregoing provisions shall not be used in the public schools, except so long as may be necessary to fulfill the conditions of any legal adoption in force when this chapter takes effect.

§ 349. Examination by regents.—All regents' examinations in physiology and hygiene shall include a due proportion of questions on the nature of alcoholic drinks and other narcotics, and their effects on the human system.

§ 350. Instruction in normal schools, institutes, etc.—Adequate time and attention shall be given to instruction in the best methods of teaching this branch in all normal schools, teachers' training classes and teachers' institutes.

§ 351. When not to share in school money.—A district or city is not entitled to share in an apportionment of state school moneys, unless it appears that it has complied with the provisions herein relating to instruction in physiology and hygiene.

§ 352. When institute or training class entitled to school money.—State school moneys shall not be apportioned or paid for the benefit of a teachers' institute or teachers' training class or other school until the officer having jurisdiction or supervision thereof shall file with the superintendent an affidavit that he has made a thorough investigation of the facts, and that to the best of his knowledge, information and belief, the provisions of this chapter relating thereto have been complied with.

§ 353. Affidavits by school authorities.—The trustee or the president or other member of a board of education, or the superintendent of schools, shall show by his affidavit that he has made thorough investigation as to the facts, and that to the best of his knowledge, information and belief, all the provisions herein relating to such instruction have been complied with in the schools under his supervision, during the last preceding school year. Such affidavit shall be made in duplicate, one of which, in the case of a city, shall be filed with the treasurer or chamberlain, and in any other case, with the school commissioner, and one duplicate shall also be filed with the state superintendent. The affidavit shall also be included in the annual report of a trustee or board of education.

§ 354. Affidavit by school commissioner.—The commissioner shall also file with the superintendent an affidavit in connection with his annual report, showing which districts have and which have not complied with such provisions, according to the best of his knowledge, information and belief, based upon a thorough investigation by him as to the facts.

§ 355. Affidavit by principal of normal school.—The principal of each normal school shall, at the close of each school year, file with the superintendent an affidavit that all the foregoing provisions applicable thereto have been complied with during such year.

§ 356. Superintendent to furnish blanks.—The superintendent shall provide school officers with blank forms of affidavit for the purposes herein required, and shall include in his annual report a statement showing each city or district which has failed to comply with the foregoing provisions during the preceding school year.

§ 357. When superintendent to withhold school money.—The superintendent on a written complaint alleging the violation of any of the foregoing provisions, shall make immediate investigation thereof, and if satisfied of the truth of the complaint, shall thereupon and thereafter withhold all state school moneys to which the district or city would otherwise be entitled, until it complies with such provisions; and the superintendent may reclaim money already apportioned, or deduct the same from a future apportionment, in the same manner as in the case of an excessive apportionment under this chapter. A complaint under this section can only be made by an adult resident of the district or city.

§ 358. Instruction in natural history.—The superintendent may furnish to the free schools in each city and village that has a superintendent of schools, additional facilities for instruction in natural history, geography and kindred subjects, by means of pictorial representations and lectures. All residents of a city or village may be admitted to such lectures under regulations to be prescribed by the school authorities, or such lectures may be repeated apart from the school.

§ 359. Free instruction in industrial or freehand drawing.—Free instruction in industrial or free-hand drawing shall be given:

1. In each normal school.
2. In at least one of the departments of the schools in each city.
3. In each union school, unless it is excused therefrom by the superintendent.

§ 360. Evening schools.—A district meeting or the school authorities in a city may establish and maintain evening schools for free instruction in industrial drawing.

§ 361. Vocal music.—Free instruction in vocal music shall be given in each normal, city and union school, and in each public school organized under a special law and subject to the provis-

ions of this chapter. It may also be given in any other school, or in a teachers' institute.

§ 362. Kindergartens.—A free kindergarten may be established and maintained in each school district by the trustee or board of education. A child under the age of four years shall not be admitted to such school, and the trustee or board of education may fix the highest age limit of children who may attend. The attendance of children under the age of five years shall be reported separately.

§ 363. Industrial training in schools.—A department for instruction in the principles of industrial training and for teaching and illustrating the manual or industrial arts may be established and maintained:

1. By the school authorities of a city.
2. By the trustee or board of education of a school district when authorized by a district meeting.
3. Such instruction shall also be given in each normal and training school to the extent prescribed by the superintendent; but the authorities in charge of such school may provide for instruction in addition to that prescribed by the superintendent.

ARTICLE XIV.

INDIAN SCHOOLS.

Section 375. Indian schools.

376. Maintenance of Indian schools.

377. Compulsory education in Indian schools.

378. Rules.

379. Duty of local superintendent.

380. Superintendent's report of Indian schools.

381. When Indian pupils may attend common school.

382. Indian children may take regents' examination.

§ 375. Indian schools.—The state superintendent shall:

1. Provide means of education for resident Indian children.
2. Cause an annual enumeration of Indian children to be made.
3. Ascertain from time to time the condition of the various bands and tribes in respect to education.
4. Establish schools on a reservation in such places and of such character and description as he deems necessary, and for that purpose he may divide the reservations into convenient districts.
5. Erect, when necessary, convenient buildings for the accommodation of such schools.
6. Employ superintendents for such schools and fix their compensation.

7. Contract with an Indian band or tribe for the use or occupation of any land for school grounds, sites or buildings.

Such contract shall protect the title of the Indians to their lands, and reserve to the state the right to remove or otherwise dispose of all improvements made at its expense.

§ 376. Maintenance of Indian schools.—The expenses of maintaining the Indian schools shall be paid out of the treasury of the state, upon the certificate of the state superintendent.

§ 377. Compulsory education in Indian schools.—The superintendent may by order apply to Indian schools such provisions of this chapter relating to compulsory education as he deems expedient, and when such an order is made and entered in his office, the Indian schools named therein shall be subject to such provisions. The superintendent may appoint such persons as he deems necessary to aid in the enforcement of such provisions, and provide for their compensation.

§ 378. Rules.—The state superintendent may make rules for the enforcement of this article, and may require the local superintendents to make reports and furnish such information from time to time as he deems desirable.

§ 379. Duty of local superintendent.—A superintendent of Indian schools shall, under the direction of the state superintendent, have the immediate supervision of the schools under his charge. He shall, subject to the approval of the superintendent, employ teachers and make such contracts as may be necessary for the maintenance of such schools.

§ 380. Superintendent's report of Indian schools.—The annual report of the state superintendent must separately show:

1. The number and location of Indian schools.
2. The number of Indian children between five and twenty-one years of age.
3. The average daily attendance.
4. The expenses of each school.
5. The names and residences of the local superintendents and the territory under their supervision.
6. Such other facts and recommendations as he may deem important in relation to Indian schools.

§ 381. When Indian pupils may attend public school.—An Indian child may attend a public school in the district in which he resides, unless an Indian school is maintained therein, in which case he may so attend only with the permission of the state superintendent.

§ 382. Indian children may take regents' examination.—A child who is a pupil in an Indian school may, upon the certificate of the local superintendent, enter, without charge, a regents' examination at any time or place.

ARTICLE XV.

TRUSTS FOR SCHOOLS; GOSPEL AND SCHOOL LOTS; FINES AND PENALTIES.

Section 390. Property in trust for common schools.

391. Execution and supervision of trusts.

392. Officers and boards to report trusts.

393. Report of fines and penalties.

394. Trustees of gospel and school lots.

395. Powers and duties of supervisors.

396. Apportionment of gospel moneys by supervisor.

397. Payment to treasurer; application of funds.

398. Imposition of fine or penalty.

399. Penalty for loss of state school moneys.

400. When school officer liable for penalty lost.

401. When costs allowed to school officers.

402. When costs not allowed against school officer.

403. When district may allow costs.

404. Appeal from rejection by district meeting.

405. Hearing of appeal.

406. Action on supervisor's bond.

407. Suits for penalties.

§ 390. Property in trust for common schools.— Real and personal property may be granted, conveyed, devised, bequeathed and given in trust and in perpetuity or otherwise, to the state, or to the superintendent of public instruction, for the support or benefit of the common schools within the state, or within any part or portion of it, or of any particular common school or schools within it; and to any county or of any city or board of officers thereof, or the school commissioner or commissioners, or to any town, or supervisor of a town, or to any school district or its trustee for the support and benefit of common schools within such county, city, commissioner district, town or school district, or within any part or portion thereof respectively, or for the support and benefit of any particular common school or schools therein. No such grant, conveyance, devise or bequest shall be held void for the want of a named or competent trustee or donee, but where no trustee or donee, or an incompetent one is named, the title and trust shall vest in the people of the state, subject to its acceptance by the legislature, but such acceptance shall be presumed.

§ 391. Execution and supervision of trusts.— The legislature may control and regulate the execution of all such trusts; and the superintendent of public instruction shall supervise and advise the trustees, and hold them to a regular accounting for the

trust property and its income and interest at such times, in such forms, and with such authentications, as he shall from time to time prescribe.

§ 392. Officers and boards to report trusts.—The common council of every city, the board of supervisors of every county, the trustees of every village, the supervisor of every town, the trustee of every school district, and every other officer or person who shall be thereto required by the superintendent of public instruction or the regents, shall report to him or them whether any, and if any, what trusts are held by them respectively, or by any other body, officer or persons to their information or belief for public school purposes, and shall transmit, therewith, an authenticated copy of every will, conveyance, instrument or paper embodying or creating the trust; and shall, in like manner, forthwith report to him the creation and terms of every trust subsequently created.

§ 393. Report of fines and penalties.—Every district attorney shall report annually to the board of supervisors all such fines and penalties imposed in any prosecution conducted by him during the previous year; and all moneys collected or received by him or by the sheriff, or any other officer, for or on account of such fines or penalties, shall be immediately paid into the county treasury, and the receipt of the county treasurer shall be a sufficient and the only voucher for such money.

§ 394. Trustees of gospel and school lots.—The supervisor of each town shall continue vested with the powers and charged with the duties heretofore vested in and charged upon the trustees of gospel and school lots of the several towns.

§ 395. Powers and duties of supervisors.—The supervisor of each town shall, subject to the provisions of the next section:

1. Take and hold possession of the gospel and school lots in his town.

2. Lease the same for such time, not exceeding twelve years, and on such conditions, as he shall deem expedient.

3. Sell the same, when authorized by a vote of the inhabitants of the town at a town meeting, at such price and upon such terms as he shall deem most advantageous.

4. Invest the proceeds of such sales in loans secured by bond and mortgage upon unincumbered real property of the value of double the amount loaned.

5. Purchase at his option upon foreclosure, and hold the property so mortgaged, and convey it whenever necessary.

6. Reloan the amount of such loans paid to him upon the like security.

7. Apply the rents and profits of such lots, and the interest of the money arising from the sale thereof, to the support of the schools as may be provided by law.

8. Render to the town board an accurate account of the proceeds of the sales and the interest on the loans thereof, and of the rents and profits of such gospel and school lots, and of the expenditure or appropriation thereof, on the last Tuesday next preceding the annual town meeting in each year.

9. Deliver to his successor in office, all books, papers and securities relating to the sale, at the expiration of his term, and take therefor a receipt, which shall be filed in the town clerk's office.

10. Report to the superintendent whether there is in his town a gospel or school lot, describe the same, state to what use, if any, it is put by the town, and whether it is leased, and if so, to whom, for what term, and upon what rent; and whether the town holds or is entitled to any rent, moneys or securities arising from any sale from such gospel or school lot, and the investment of the proceeds thereof, and of the rents and income of such lots and investments, and shall report a full statement and account of such rents, moneys and securities.

§ 396. Apportionment of gospel moneys by supervisor.—The supervisor of a town having moneys arising from the sale of gospel lands, and known as gospel funds, may apportion such moneys among the several school districts of his town when authorized as follows:

1. If the fund does not exceed five hundred dollars, by the town board.

2. If the fund exceeds five hundred dollars, by the vote of a town meeting.

§ 397. Payment to treasurer; application of funds.—Where such apportionment is made, the supervisor shall pay to the treasurer of the several school districts or parts of joint districts in his town the pro rata share according to the aggregate school attendance of the town during the last preceding school year. Such moneys shall be used for the general purposes of the school.

§. 398. Imposition of fine or penalty.—A fine or penalty imposed on:

1. A school district officer for a violation of his official duty; or

2. Such officer or another person for any other violation of this chapter

Is for the benefit of the district of which such person is an officer, or in which the offense was committed, and when collected shall be forthwith paid to the treasurer of the district and credited to its general fund.

A fine or penalty imposed upon any other school officer for a violation of his official duty, or for any other violation of this chapter shall, when collected, be paid forthwith to the state treasurer and credited to the free school fund.

§ 399. Penalty for loss of state school moneys.—If in consequence of the wilful neglect of official duty of a school officer, any portion of state school moneys to which a town or district is or may be entitled is lost, such officer shall forfeit to such town or district the full amount of the loss with interest thereon.

§ 400. When school officer liable for penalty lost.—A school officer who wilfully refuses or neglects to sue for a penalty incurred for the benefit of a district, town, city, commissioner district, or county, forfeits the amount of such penalty to the same use, and it shall be recovered by his successor.

§ 401. When costs allowed to school officers.—If a school district officer is instructed by a district meeting to bring, defend or continue an action or proceeding concerning any district matter, his costs and reasonable expenses, and all costs and damages adjudged against him, are a charge against the district. If the amount claimed by him is disputed by a district meeting, it shall be adjusted by the county judge of a county in which any part of the district is situated, upon such notice as he may prescribe.

§ 402. When costs not allowed against officer.—In an action against a school officer in respect to his powers and duties under this chapter for any act performed by virtue of or under color of his office, or for a refusal or omission to perform the duties enjoined by law, and which action might have been the subject of an appeal to the superintendent, costs shall not be allowed to the plaintiff, if the court shall certify that it appeared on the trial that the defendant acted in good faith. This provision does not extend to actions for penalties, nor to actions or proceedings to enforce the decisions of the superintendent.

§ 403. When district may allow costs.—If an action or proceeding is brought or defended without such instructions, the amount of such costs, expenses and damages, paid or incurred by the officer, may be audited and allowed by a district meeting, upon the presentation of a verified account, and the amount so allowed shall thereupon be a charge against the district. This provision shall not apply to an action for a penalty, nor to an action or proceeding to enforce a decision of the superintendent.

§ 404. Appeal from rejection by district meeting.—If any part of a claim presented under the last section is rejected, the officer may appeal from the action of the district meeting to the county judge of the county in which he resides, or if the county judge is disqualified or unable to act, to the district attorney. Notice of such appeal shall be given orally and publicly at the meeting, and such meeting may thereupon appoint one or more qualified voters to represent the district on the appeal. The officer must within ten days thereafter serve upon the district clerk a copy

of his account, together with a written notice that on a day therein specified he intends to present such account to the county judge or district attorney for settlement. The clerk shall record such notice and account. The persons appointed shall appear for the district before the county judge or district attorney at the time specified in the notice. The necessary expenses incurred by them are a charge against the district, and must be paid by the trustee upon the presentation of a verified account.

§ 405. Hearing of appeal.—The county judge or district attorney shall examine the matter and hear the proofs and allegations of the parties. A verified account is prima facie evidence of the correctness thereof. He shall determine by order what amount of the claim, if any, should be paid by the district. He may also allow to the officer costs and disbursements of the appeal, not exceeding thirty dollars. The decision of the county judge or district attorney shall be final. The amount allowed upon such appeal is a charge against the district. The order shall be filed by the district clerk, and entered in the records of the district.

§ 406. Action on supervisor's bond.—An action upon the bond of a supervisor for school moneys shall be brought by the county treasurer in his name of office, and the amount recovered shall be paid over to the successor of the supervisor in default, upon his giving security therefor.

§ 407. Suits for penalties.—A trustee or board of education shall sue for and recover fines and penalties incurred for the benefit of the district. A taxable voter of the district may present to the trustee or board of education a written verified complaint, and demand that an action be brought to recover such penalty. If the trustee or board of education neglects to bring an action within ten days after the presentation of the complaint, such taxable voter may bring the action in his own name, for the benefit of the district.

A district meeting or board of education may authorize the payment of the plaintiff's expenses, not exceeding one-half the penalty collected.

ARTICLE XVI.

INSTRUCTION OF THE BLIND, AND DEAF-MUTES.

Section 415. Free schools for the blind, and for deaf-mutes.

416. Jurisdiction of state superintendent.

417. School for the blind at Batavia.

418. Board of trustees.

419. Reorganization of board.

420. Officers of board; rules.

421. Appointment of local superintendent.

Section 422. Powers and duties of treasurer.

- 423. Compensation of officers.
- 424. Records.
- 425. Estimate of expenses.
- 426. Custody of property.
- 427. Insurance of property.
- 428. Trustee not to be interested in contracts.
- 429. Expenses of trustees.
- 430. Local board may take by grant, gift or devise.
- 431. School entitled to public documents.
- 432. Annual report of local board.
- 433. Report of school authorities.
- 434. Application, to whom presented.
- 435. Order of state superintendent.
- 436. Removal and transfer of children.
- 437. Expenses of transportation, how paid.
- 438. Clothing, how furnished; expenses, how paid.
- 439. Contracts for the instruction of the blind.
- 440. Contracts for the instruction of deaf-mutes.
- 441. Cancellation of contract.
- 442. Expenses for instruction and maintenance; how paid.
- 443. Superintendent to prescribe instruction.
- 444. Instruction of deaf-mutes.
- 445. Duty of school authorities.
- 446. Application by school authorities.
- 447. Duty of truant officer and magistrate.
- 448. Expenses of enforcement, how paid.

Section 415. Free schools for the blind, and for deaf-mutes.—The legislature shall provide free schools for the instruction of the blind, and of deaf-mutes, of school age.

§ 416. Jurisdiction of state superintendent.—The state superintendent has exclusive supervision and control of the admission of pupils into a school for the blind or for deaf-mutes under this chapter, and their retention therein. He shall prescribe rules relating to such admission and the forms of application.

§ 417. School for the blind at Batavia.—The New York State School for the Blind at Batavia is continued, and shall hereafter be known as the State School for the Blind at Batavia. It shall be under the immediate supervision and management of a local board of trustees, but such board shall be under the general supervision and direction of the state superintendent. The school shall, so far as practicable, furnish to the blind children of the state of school age the best known facilities for acquiring

a thorough education, and train them in some useful profession or manual art.

The school is free to all resident blind children of school age, under such rules as may be prescribed by the state superintendent.

If the accommodations of the school are sufficient, without excluding free resident pupils, blind persons above school age, and nonresidents, may be admitted upon terms and conditions prescribed by the state superintendent.

§ 418. Board of trustees.—The existing board of trustees is continued, subject to the power of removal herein prescribed. An appointment to fill a vacancy shall not be made until the number of trustees is less than seven. Thereafter the board shall be composed of seven trustees, and a vacancy shall be filled by appointment by the state superintendent. A trustee may be removed for cause by the state superintendent, after notice and an opportunity to be heard.

§ 419. Reorganization of board.—The trustees in office when this chapter takes effect shall continue therein until the thirtieth day of June, eighteen hundred and ninety-nine. During that month the superintendent shall appoint seven trustees, and classify their terms so that one term shall expire in one year, one in two years, one in three years, one in four years, one in five years, one in six years, and one in seven years from the first day of July next following. Any vacancies now existing may be filled by the superintendent for a term ending June thirtieth, eighteen hundred and ninety-nine. Thereafter vacancies shall be filled for the remainder of the unexpired term; and upon the expiration of a term, a trustee shall be appointed for a full term of seven years. All terms shall expire on the thirtieth day of June. All appointments shall be filed in the office of the department of public instruction.

§ 420. Officers of board; rules.—The board of trustees may:

1. Appoint one of its number president, one secretary, and another treasurer of the board. The secretary may also be treasurer. In the absence of an officer another member may be appointed for the time to fill his place and perform his duties.

2. Subject to the approval of the state superintendent, make, alter, amend or repeal rules for the government of the school, employ teachers, and prescribe the course of study. But such course of study shall conform as nearly as practicable to the requirements of this chapter relating to instruction in public schools.

§ 421. Appointment of local superintendent.—The board of trustees may appoint and at pleasure remove:

1. A local superintendent of the school.
2. Instructors.
3. Needed subordinate officers, employes, servants and assistants.

An appointment or removal of a superintendent or an instructor is subject to the approval of the state superintendent. The powers and duties of all appointees under this section shall be prescribed by the board, subject to the same approval.

§ 422. Powers and duties of treasurer.—The treasurer of such school shall:

1. Give an undertaking to the people of the state for the faithful performance of his duties, in an amount to be approved by the state superintendent, and file it in the office of the comptroller.

2. Receive and have the custody of all moneys payable to or for the school.

3. Deposit all such money in a bank designated by the state superintendent, in his name as treasurer, and whenever required render a verified account to the board or to the state superintendent, showing the condition of the funds of the school. A bank so designated shall before any deposit is made execute a bond to the people of the state in a sum approved by the state superintendent for the safe keeping of the funds deposited, and file it in the office of the comptroller.

4. Pay out all money deposited for the use of the school upon the order of the president of the board, countersigned by the secretary, in accordance with the estimate approved by the state superintendent.

5. Keep full and accurate accounts of all receipts and payments in the manner directed in the rules of the board, and according to the forms prescribed by the state superintendent.

§ 423. Compensation of officers.—The secretary, the local superintendent, instructors and other appointees shall receive such compensation as may be fixed by the board, subject to the approval of the state superintendent.

§ 424. Records.—The board of trustees shall keep full and complete records of all its proceedings, and also of the business and daily transactions of the school, in books to be provided for that purpose.

§ 425. Estimate of expenses.—The local board shall at such times as may be prescribed by its rules, present to the state superintendent an itemized statement, verified by the secretary or local superintendent, showing the amount estimated to be necessary for carrying on the school for the period therein mentioned. The state superintendent shall examine and may revise such estimate,

and shall draw his warrant on the state treasurer in favor of the treasurer of the local board, for the amount approved by him.

§ 426. Custody of property.—The local board shall have the custody and management of the grounds and buildings provided or used for the purposes of the school, and other property of the state pertaining thereto, and may protect, preserve and improve the same.

§ 427. Insurance of property.—The local board shall keep the property under its supervision insured for the benefit of the state. If the property is injured or destroyed the proceeds of the insurance shall be deposited by the insured to the credit of the local board in a bank designated by the state superintendent, and shall be used by such board subject to the approval of the state superintendent to repair, rebuild or replace the property injured or destroyed. The necessary expenses of keeping such property insured shall be a charge against the state, and shall be paid from any appropriation made for the support and maintenance of the school.

§ 428. Trustee not to be interested in contracts.—A trustee of a state school shall not be pecuniarily interested in a contract relating to the property, affairs or management of the school or in furnishing supplies therefor. A trustee who violates this section is guilty of a misdemeanor.

§ 429. Expenses of trustees.—A trustee shall not as such receive any compensation for his services, but shall receive his actual and necessary traveling and other expenses, to be paid as other current expenses of the school, upon the audit of the state superintendent.

§ 430. Local board may take by grant, gift or devise.—The local board with the approval of the state superintendent may accept for the state a gift, grant, devise or bequest of money or other property, and apply the same to any purpose not inconsistent with the general purposes of the school, which may be prescribed in the instrument by which such gift, grant, devise or bequest is made.

§ 431. School entitled to public documents.—The school is entitled to receive copies of all books and other publications which are distributed gratuitously by the state.

§ 432. Annual report of local board.—The local board shall annually on the first day of July transmit to the state superintendent in such form as he may prescribe, a report showing in detail its receipts and expenditures on account of the school during the preceding school year, the condition of the school, and such other facts as the state superintendent may require.

§ 433. Report of school authorities.—The school authorities of

each city or district shall annually on the thirtieth day of June, report to the state superintendent in such form as he may prescribe the name, age and residence of each blind child of school age, residing therein, and whether such child has attended a school for the blind during the preceding school year, and if so the name of the school. Such information may be included in the annual report of the school authorities to the commissioner, or in a separate report as may be required by the state superintendent. If it is contained in the report to the commissioner, he shall include such information in his report to the state superintendent.

§ 434. Application, to whom presented.—An application for the admission of a pupil to a school for the blind must be addressed to the state superintendent of public instruction, and presented to the school authorities of the district or city in which the child resides. The application must be verified, and may be made by either parent or the guardian or other relative of the child. It shall state the name, residence and occupation of the applicant, the name, age and residence of the child, and his relationship to the applicant, and whether he has ever attended a school for the blind or received instruction elsewhere, and if so where such instruction was received. It shall also contain such other information as may be required by the state superintendent. The school authorities shall immediately transmit the application to the state superintendent, who shall inquire into the matter and determine whether the child can be accommodated in a school for the blind, and whether he is entitled to receive instruction therein.

§ 435. Order of state superintendent.—If the superintendent determines that the child can and should be sent to a school for the blind, he shall make an order to that effect, and deliver it to the superintendent of the school or institution designated therein, who shall provide for the transportation of such child to the school.

§ 436. Removal and transfer of children.—A child who has been received into a school may, with the approval of the state superintendent, be removed therefrom and returned to his parents or guardian or other applicant, or may be transferred to another state school for the blind or a school authorized to receive and instruct blind children under a contract with the superintendent, or otherwise.

§ 437. Expenses of transportation, how paid.—The expense of transporting a blind child to or from a school for the blind, and of his instruction, support, care and maintenance therein, shall be paid by the state. A non-resident pupil or a pupil above school age, must pay his expenses, to be determined by the state superintendent.

§ 438. Clothing, how furnished; expenses, how paid.—The persons liable for the support of a child may furnish clothing for him while in attendance at a school under this article, under regulations prescribed by the state superintendent. If clothing is not so furnished, it shall be furnished by the school, and the expense thereof shall be paid upon the audit and certificate of the state superintendent by the treasurer of the local board of a state school and otherwise by the state treasurer. The state superintendent shall make rules relating to this subject, and may in any case, for good cause, direct that all or any part of the expense of clothing a child named in the order be paid by the state. Such persons, or the estate, if any, of the child, shall be liable for such clothing furnished by the school. The local superintendent shall, at such stated periods as the rule may prescribe, present to the persons liable for the support of the child, a verified account of such clothing, and if the account is not paid within thirty days thereafter, he may sue for and recover the amount thereof in his name of office for the benefit of the school. This section applies to a school or institution with which a contract is made by the state superintendent.

§ 439. Contracts for the instruction of the blind.—The state superintendent may contract with the trustees or managers of a school or institution for the blind, for the instruction therein of resident blind children of school age who, in his judgment, cannot be accommodated at a state school. Such a contract cannot be made by the superintendent for a period extending beyond his term of office. If a contract is so made, blind children may be sent to such a school or institution under regulations prescribed by the superintendent; but in granting applications for admission of blind children, preference shall be given to a school for the blind owned and wholly maintained by the state, if such school has sufficient accommodations, except that children residing in a county where a school or institution with which a contract is made is located, or in an adjoining county, shall be sent to such school or institution, if it has sufficient accommodations, otherwise they may be sent to a state school. A school or institution with which a contract is made under this section becomes a school for the blind, under this chapter, and subject to all its provisions, so far as practicable.

A contract may be made under this section with The New York Institution for the Blind in The City of New York.

§ 440. Contracts for the instruction of deaf-mutes.—A contract for the instruction of deaf-mutes may be made by the state superintendent with one or more of the following schools or institutions: New York Institution for the Instruction of the Deaf and Dumb,

in New York; Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf-Mutes, in Buffalo; The Institution for the Improved Instruction of Deaf-Mutes, in New York; St. Joseph's Institute for Improved Instruction of Deaf-Mutes, in Fordham; The Central New York Institution for Deaf-Mutes, in Rome; Western New York Institution for Deaf-Mutes, in Rochester; The Northern New York Institution for Deaf-Mutes, in Malone, and the Albany Home School for the Oral Instruction of the Deaf and Dumb, in Albany; but such a contract shall not be made unless the superintendent is satisfied that the school or institution has adequate accommodations, and can provide the required instruction. The superintendent shall, so far as practicable, subject to the limitations herein prescribed, make contracts with schools or institutions so located as to be convenient of access in different parts of the state. A parent, guardian or other person who applies for the admission of a deaf-mute to a school under this article may request the superintendent to designate a school specified by the applicant, for the instruction of such deaf-mute, if a state school is not available; and the superintendent shall designate the school so specified, if it is under contract as provided in this article, and has accommodations for such deaf-mute.

§ 441. Cancellation of contract.—The state superintendent may cancel a contract under this article, upon a notice of not less than thirty days, if it shall appear to his satisfaction that the school or institution with which the contract is made neglects or refuses to perform any condition of the contract, or comply with any rule, order or decision of the state superintendent in relation to children included in such contract, or their instruction or maintenance in such school or institution. The contract shall embody this section, or the substance thereof.

§ 442. Expenses for instruction and maintenance; how paid.—The expenses of the instruction and maintenance of blind children in a school or institution to which they may be sent under a contract is a charge against the state, and shall be paid by the state treasurer, from time to time, upon the audit of the comptroller, and the certificate of the state superintendent; but such contract shall not authorize the payment by the state of more than two hundred and fifty dollars per annum for the instruction and maintenance of each child sent to such school or institution, exclusive of clothing. A school or institution may also be allowed the expense incurred by it for clothing furnished to a child, upon proof by affidavit, to the satisfaction of the state superintendent, that the amount of such expense has not been and cannot with reasonable diligence be recovered from the persons liable for the support of such child or from his estate.

§ 443. Superintendent to prescribe instruction.—The state superintendent shall prescribe the instruction to be given under such a contract, which shall conform as nearly as practicable to that given in a state school. He also has a right to visit and inspect such a school or institution in all its departments, and he shall report to the legislature such matters and things concerning it as he may deem necessary or proper.

§ 444. Instruction of deaf-mutes.—The state superintendent has exclusive supervision and direction of the instruction of deaf-mutes of school age, and shall provide for such instruction in a state school for deaf-mutes or other school or institution.

Deaf-mutes shall be sent to a state school, or the state superintendent shall contract with any other school or institution for their instruction therein if, in his judgment, a state school is not available or has not sufficient accommodations. The provisions of this article relating to the instruction of blind children and the powers and jurisdiction of the state superintendent apply, so far as practicable, to deaf-mutes and schools for their instruction. School authorities shall report concerning deaf-mutes in the same form and manner as herein provided in relation to the blind.

§ 445. Duty of school authorities.—It shall be the duty of the school authorities of a city or district, under the direction of the state superintendent, to attend to the enforcement of this article. They shall annually, in the month of June, and at such other times as they deem proper, notify in writing the parent, guardian or other person with whom a blind child or deaf-mute of school age resides in such city or district, of his right to free instruction in a school provided by the state for that purpose, and that if such parent, guardian or other person neglects or refuses for thirty days after such notice, to apply for the admission of such blind child or deaf-mute to a state or other school under this article, the school authorities will apply for such admission. The school authorities shall apply accordingly.

§ 446. Application by school authorities.—The application by the school authorities shall be addressed to the state superintendent of public instruction, and shall be substantially in the same form as if made by the parent, guardian or other relative. On such application the state superintendent shall determine whether instruction can be provided for such blind child or deaf-mute in a school under this article, and if so, shall designate the school to which he shall be sent. Such determination shall be under the hand of the state superintendent and the seal of the department of public instruction, and is conclusive as to the accommodations for instruction.

§ 447. Duty of truant officer and magistrate.—Within five days after the receipt of such determination, the school authorities shall serve upon a truant officer of the city or district a written notice to the effect that an application has been made by them as herein provided for the admission of such blind child or deaf-mute to a school under this article, and naming the school to which he is required by the state superintendent to be sent. Upon the receipt of such notice the truant officer shall take such child before the nearest magistrate of the county, who shall inquire into the matter, and if satisfied that he is not receiving adequate instruction for the blind or for deaf-mutes, as the case may be, and that he should receive such instruction as herein provided, he shall by order direct the truant officer to take such child or deaf-mute to the school designated in the determination of the state superintendent. The child shall be kept and instructed in such school, under the direction of the state superintendent, but not beyond the current school year without the written consent of his parent or guardian, or the person with whom he resides.

§ 448. Expenses of enforcement, how paid.—The expenses incurred by the school authorities under this article, and of the truant officer in transporting a blind child or deaf-mute as required by the order, is a charge against the state, and shall be paid upon the audit of the comptroller and certificate of the state superintendent.

ARTICLE XVII.

SCHOOL COMMISSIONERS; THEIR ELECTION, POWERS AND DUTIES.

Section 460. School commissioner; election and term of office.

461. Vacating office of school commissioner.

462. Existing districts continued.

463. General powers and duties of commissioner.

464. Commissioner may act in other districts.

465. Supervision of commissioner by superintendent.

466. Commissioner may take testimony; issue subpoenas.

467. Salary of commissioner.

468. Superintendent may withhold salary.

469. Increase of salary.

470. Expenses of commissioner.

471. School commissioner not to engage in certain business.

§ 460. School commissioner; election and term of office.—The office of school commissioner is continued. The full term of office is four years, commencing on the first day of January next after an election. A school commissioner for each district shall be elected

by the electors thereof at the general election in the year eighteen hundred and ninety-nine and quadrennially thereafter. No person shall be deemed ineligible to such office by reason of sex. A school commissioner is a county officer. If a vacancy occurs, a successor shall be appointed by the county judge for a term ending on the last day of December of the calendar year in which the vacancy can be filled by election. Such appointment must be filed in the office of the county clerk. The county clerk immediately upon notice of the election or appointment of a school commissioner in his county shall transmit to the superintendent a duplicate certificate of such election or appointment, attested by his signature with the seal of the county.

§ 461. Vacating office of school commissioner. A school commissioner who accepts the office of supervisor, town clerk, or trustee of a school district, thereby vacates his office.

§ 462. Existing districts continued.—The school commissioner districts existing when this chapter takes effect shall continue as then formed until altered by the legislature. A city shall not be included in or form a part of any school commissioner district hereafter formed.

§ 463. General powers and duties of commissioner.—Every commissioner shall have power, and it shall be his duty:

1. From time to time to inquire into and ascertain whether the boundaries of the school districts within his district are definitely and plainly described in the records of the proper town clerks; and in case the record of the boundaries of any school district shall be found defective or indefinite, or if the same shall be in dispute, then to cause the same to be amended, or an amended record of the boundaries to be made. All necessary expenses incurred in establishing such amended records shall be a charge upon the district or districts affected, to be audited and allowed by the trustee thereof, upon the certificate of the school commissioner.

2. To visit and examine all the schools within his district as often in each year as shall be practicable; to inquire into all matters relating to the management, the course of study and mode of instruction, and the text-books and discipline of such schools, and the condition of the schoolhouses, sites, outbuildings and appendages, and of the district generally.

3. To examine the school libraries.

4. To advise with and counsel the trustee and other officers of the district in relation to their duties, and particularly in respect to the construction, heating, ventilating and lighting of schoolhouses, and improving and adorning the school grounds connected therewith.

5. To recommend to the trustee and teachers the proper studies, discipline and management of the schools, and the course of instruction to be pursued.

6. To direct the trustee to make any alterations or repairs on the schoolhouse or outbuildings which shall, in his opinion, be necessary for the health or comfort of the pupils.

7. To direct the trustee to make any alterations or repairs to school furniture, or when in his opinion any furniture is unfit for use and not worth repairing, or when sufficient furniture is not provided, he may direct that new furniture shall be provided as he may deem necessary.

8. To direct the trustee to abate any nuisance in or upon the school premises.

9. To condemn a schoolhouse, as provided in this chapter, if he deems it unfit for use and not worth repairing. He may also condemn a schoolhouse site, and require its abandonment by the district.

10. To examine, under rules prescribed by the superintendent of public instruction, persons proposing to teach common schools within his district, and not possessing the superintendent's certificate of qualification or a diploma of a state normal school, to inquire into their moral fitness and capacity, and if he find them qualified, to grant them certificates of qualification, in the forms prescribed by the superintendent.

11. To deliver to the clerk of the board of supervisors of his county, on or before the first day of November in each year, a written statement of the amount, rate of interest, class, number, date of issue, pursuant to what law and date of maturity of each bond issued by any school district a part of his district.

§ 464. Commissioner may act in other districts.—A commissioner may exercise any of the powers and perform any of the duties of another commissioner upon his written request, and he must exercise such powers and perform such duties whenever required by the superintendent. When so acting under the direction of the superintendent, he is entitled to his necessary expenses to be audited by the superintendent and paid by him from the contingent fund.

§ 465. Supervision of commissioner by superintendent.—The commissioner is subject to such rules concerning the conduct of his office as may be prescribed by the superintendent, and shall, whenever required, report to him concerning any particular matter or act.

§ 466. Commissioner may take testimony; issue subpoenas.—The commissioner under the direction of the superintendent may take and report to him testimony in a case on appeal. In such a

case or in any matter to be heard or determined by the commissioner he may issue a subpoena to compel the attendance of a witness. Such a subpoena must be served in the same manner, and the witness is entitled to the same fees, as in an action in a court of record. Disobedience to such subpoena shall subject the delinquent to a penalty of twenty-five dollars, which may be recovered by the county treasurer in his name of office, for the benefit of the schools of the county.

§ 467. Salary of commissioner.—Each school commissioner shall receive an annual salary of one thousand dollars, payable quarterly on the order of the superintendent out of the free school fund appropriated for that purpose.

§ 468. Superintendent may withhold salary.—Whenever the superintendent is satisfied that a school commissioner has persistently neglected to perform his duties, he may withhold his order for the payment of the whole or any part of such commissioner's salary as it shall become due, and the salary so withheld shall be forfeited; but the superintendent may remit the forfeiture, in whole or in part.

§ 469. Increase of salary.—The salary of a school commissioner may be increased beyond the amount payable to him from the free school fund as herein provided;

1. If the commissioner's district embraces an entire county, by the board of supervisors thereof.

2. If the district is composed of less than an entire county, by a majority of the supervisors residing in such district, upon filing with the clerk of the board of supervisors a certificate fixing the amount of such increase.

The amount of the increase shall annually thereafter be levied by the board upon the property of the district.

§ 470. Expenses of commissioner. The board of supervisors shall annually audit and allow to each commissioner within the county a fixed sum of at least two hundred dollars for his expenses, and shall assess and levy that amount annually by tax upon the towns composing his district.

§ 471. School commissioner not to engage in certain business.—A school commissioner shall not:

1. Be directly or indirectly engaged in the business of a publisher of school books, maps or charts, or of a bookseller, or in the manufacture and sale of school apparatus or furniture;

2. Act as agent for an author, publisher or bookseller or dealer in school books, maps or charts, or manufacturer of or dealer in any school furniture or apparatus;

3. Directly or indirectly receive any emolument, reward or promise of reward for his influence in recommending or procuring

the use of any book, map or chart or school apparatus or furniture in any common or union school, or the purchase of any books for a school library.

ARTICLE XVIII.

DEPARTMENT OF PUBLIC INSTRUCTION.

Section 480. Department of public instruction continued.

481. Superintendent; election and term.

482. Deputy superintendents.

483. Clerks and employes.

484. Official seal.

485. Copies of papers evidence.

486. General duties of superintendent.

487. Annual report.

488. Removal by superintendent.

489. Appeal to superintendent.

490. Who may appeal.

491. Time for appeal.

492. Notice of appeal.

493. Powers of superintendent.

494. Hearing and decision of appeal.

495. Records of appeals.

496. Salary of superintendent and deputy.

§ 480. Department of public instruction continued.—The department of public instruction is continued. Its affairs shall be managed and its powers exercised by the state superintendent. Its office shall be in the capitol in rooms which shall be assigned and furnished by the trustees of public buildings. The department of public instruction has general supervision of the common schools.

§ 481. Superintendent; election and term.—The office of state superintendent of public instruction is continued. The term of office shall be four years, commencing on the first day of July. A superintendent shall be elected by a viva voce vote of the senate and assembly on the second Wednesday of February next preceding the expiration of a term.

§ 482. Deputy superintendents.—The superintendent may appoint a deputy to be known as the first deputy superintendent, who shall perform such duties as may be required of him by the superintendent. In case of a vacancy in the office of superintendent, the first deputy upon qualifying therefor shall become and be the superintendent for the remainder of the term. The superintendent may also appoint his chief clerk as second deputy superintendent, who shall perform such duties as second deputy

as may be required of him by the superintendent. A chief clerk so appointed second deputy shall not receive any additional compensation by reason of such appointment.

§ 483. Clerks and employes.—The superintendent may appoint as many clerks and employes as he deems necessary and fix their compensation, which shall be paid monthly by the state treasurer on the warrant of the comptroller, and shall not exceed in the aggregate the sum annually appropriated for that purpose by the legislature.

§ 484. Official seal.—The seal of the superintendent in use when this chapter takes effect shall continue to be his official seal. It may be renewed whenever necessary.

§ 485. Copies of papers evidence.—Copies of all papers deposited or filed in the office of the superintendent and of orders and decisions made by him, and of the drafts or machine copies of his original letters, may be authenticated under his official seal, and when so authenticated, shall be evidence the same as the original.

§ 486. General powers and duties of superintendent.—The state superintendent may:

1. Visit and inspect all schools under the supervision of the department of public instruction, and shall inquire into their course of instruction, their management and discipline, advise and encourage the pupils, teachers and officers thereof, and make such recommendations from time to time, concerning the common schools and the administration of their affairs as in his judgment may be necessary or proper. He also has supervision of other schools and institutions as prescribed in this chapter.

2. He shall also prepare suitable registers, blanks, forms and regulations for making all reports and conducting all necessary business under this chapter, and shall cause the same, with such information and instructions as he shall deem conducive to the proper organization and government of the common schools and the due performance of their duties by school officers, to be transmitted to the officers and persons intrusted with the execution of the same; and also

3. Prepare and keep in his office alphabetical lists of all persons who have received or shall receive certificates of qualifications from himself, or from a college or university under this chapter, or diplomas of the state normal schools, with the dates thereof.

§ 487. Annual report.—The superintendent shall make to the legislature an annual report containing:

1. A statement of the condition of the common schools and of all other schools and institutions under his supervision and subject to his visitation;

2. Estimates and accounts of expenditures of the school moneys, and a statement of the apportionment of school moneys made by him.

3. All such matters relating to his office, and all such plans and suggestions for the improvement of the schools and the advancement of public instruction in the state, as he shall deem expedient.

4. A statement of all trust funds or other property given or held for the benefit of the common schools of the state.

§ 488. Removal by superintendent.—The superintendent may for cause remove from office a school commissioner or other local school officer who is guilty of:

1. Wilful violation or neglect of official duty.

2. Wilful disobedience of any decision, order or rule of the superintendent.

Such removal shall be by an order under the hand and seal of the superintendent, and recorded in his office.

§ 489. Appeal to superintendent.—An appeal may be taken to the superintendent of public instruction from an order, rule, decision, resolution, act, or neglect or refusal to act, relating to common schools, of:

1. School authorities.

2. A school officer.

3. A district meeting.

§ 490. Who may appeal.—An appeal may be taken under the last section by any person feeling himself aggrieved, and who has an interest in the subject of the appeal.

§ 491. Time for appeal.—An appeal must be taken within thirty days after the right to an appeal accrues. The right to appeal is deemed to have accrued when the appellant acquires knowledge of the rule, order, decision, resolution, act or neglect or refusal to act, which is made the subject of the appeal.

§ 492. Notice of appeal.—The notice of appeal must be addressed to the superintendent, and together with all papers relative to the appeal, must be served upon him, and also upon the board or officer whose act is the subject of the appeal; or if the appeal is from the action of a district meeting, upon the trustee or clerk; except that if an appeal is taken by a district officer, the notice of appeal must be served upon such other officer or representative of the district as the superintendent may direct.

§ 493. Powers of superintendent.—The superintendent may:

1. Regulate the practice on appeals.

2. Determine whether an appeal shall stay proceedings, and prescribe the conditions upon which a stay shall be granted.

3. Decline to entertain an appeal, or dismiss it, if the appellant fails to comply with the rules of practice.

4. Make all orders, by directing the levying of taxes or otherwise, which may be proper or necessary to give effect to his decision. If an order or decision directs the payment of money by a district, the superintendent may deduct the amount therefor from the next apportionment to such district, and such amount shall be paid on his warrant by the state treasurer, or from any moneys in the hands of the county treasurer and withheld by the order of the superintendent.

§ 494. Hearing and decision of appeal.—The superintendent shall examine and decide the appeal. He may review and consider any matter relating to the subject of appeal, and may affirm, reverse or modify any order, rule or decision involved therein. His decision is final and conclusive, and is not subject to question or review in any place or court whatever.

§ 495. Records of appeals.—The superintendent shall file, arrange in the order of time, and keep in his office so that they may be at all times accessible, all the proceedings on every appeal to him under this chapter, including his decisions and orders founded thereon.

§ 496. Salary of superintendent and deputy.—The superintendent is entitled to an annual salary of five thousand dollars, and the first deputy to an annual salary of forty-five hundred dollars. Such salaries shall be paid monthly by the treasurer, on the warrant of the comptroller.

ARTICLE XIX.

CORNELL UNIVERSITY.

Section 510. Cornell University continued.

511. Objects of Cornell University.

512. Trustees.

513. Ex-officio trustees of Cornell University.

514. Elective trustees.

515. Election by board of trustees.

516. Election by alumni.

517. Nomination of trustees by alumni.

518. Conduct of election by alumni.

519. Alumnus defined.

520. Register of alumni of Cornell University.

521. Powers of trustees.

522. Property of Cornell University.

523. University may take and hold property.

524. Supplementary congressional appropriation.

525. Students of Cornell University

526. Examination for state scholarships in Cornell University.

Section 527. State veterinary college continued.

528. Object of New York State Veterinary College.

529. Tuition fees.

530. Property to be owned by the state; custody thereof.

531. Use of appropriations.

532. Report to the legislature.

533. Special policemen for Cornell University.

534. Instruction in agriculture.

535. Employment of teachers and experts.

536. State weather bureau.

§ 510. Cornell University continued.—The corporation known as Cornell University, located at Ithaca, is continued.

§ 511. Objects of Cornell university.—The leading object of Cornell university shall be to teach such branches of learning as are related to agriculture and the mechanic arts, including military tactics, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life. But such other branches of science and knowledge may be embraced in the plan of instruction and investigation pertaining to such university, as the trustees thereof may deem useful and proper. Persons of every religious denomination, and of no religious denomination, shall be equally eligible to all offices and appointments.

§ 512. Trustees.—Cornell university shall be governed, and all its corporate powers exercised by thirty-nine trustees. Twelve trustees shall constitute a quorum for the transaction of business. The trustees in office when this chapter takes effect shall continue therein for the terms for which they were respectively chosen. An elective trustee shall hold over until his successor is elected.

§ 513. Ex-officio trustees of Cornell university.—The governor, the lieutenant-governor, the speaker of the assembly, the president of Cornell university, the state superintendent of public instruction, the president of the state agricultural society, the state commissioner of agriculture, and the librarian of the Cornell library, shall be ex-officio trustees. The oldest lineal male descendant of Ezra Cornell shall also be a trustee during his life.

§ 514. Elective trustees.—There shall be thirty elective trustees, twenty of whom shall be elected by the board of trustees, and ten by the alumni of the university; but at no time shall a majority of the board be of any one religious sect or of no religious sect.

§ 515. Election by board of trustees.—At each annual commencement the board of trustees shall elect by ballot four trustees. The term of each trustee elected by the board shall be five years from the annual commencement at which he is elected. The board may at any meeting elect trustees to fill vacancies

among the members elected by them, and a trustee elected to fill a vacancy shall hold for the remainder of the unexpired term of his predecessor. The election shall be by ballot and fifteen ballots must concur in an election.

§ 516. Election by alumni.—The alumni of Cornell university shall meet annually at Ithaca, New York, on the day before commencement, and elect by ballot two trustees, whose terms of office shall be five years from the annual commencement at which they were elected. The alumni shall at the same time and place elect by ballot, as many more trustees as may be necessary to fill vacancies among the number previously elected by them. A person elected to fill a vacancy shall hold for the remainder of the unexpired term.

§ 517. Nomination of trustees by alumni.—Ten or more alumni may file with the treasurer of the university, on or before the first day of April in each year, written nominations of each trustee to be elected by the alumni at the next commencement. Nominations shall be designated as nominations “for full term” or “to fill vacancy” as the case may be. Forthwith after such first day of April a list of such candidates shall be mailed by the said treasurer to each of the alumni at his or her address.

§ 518. Conduct of election by alumni.—Each alumnus may vote for trustees at said election by transmitted ballot in accordance with such regulations as may be prescribed by the alumni at their said annual meeting at Ithaca and approved by the board of trustees of the university or its executive committee. The ballot shall indicate which candidates are voted for for full terms and which to fill vacancies. The two candidates for full terms, and the candidates to fill vacancies to the number of vacancies to be filled, having the highest number of votes on the first ballot shall be elected, provided that no candidate shall be so elected who has not received the votes of one-third of all the alumni voting at said election. If there shall be a failure to elect one or more trustees because a candidate has failed to receive the votes of one-third of the alumni voting, then the alumni personally present at such meeting shall proceed to elect by a majority vote from the candidates for the place to be filled (full term or vacancy as the case may be), not elected on the first ballot, having the highest pluralities, if there be a sufficient number thereof; but not more than two candidates for each place thus to be filled shall be so voted for.

§ 519. Alumnus defined.—An alumnus of Cornell university is a person who has received a degree from the university.

§ 520. Register of alumni of Cornell university.—A register of the name and address of each alumnus of the university, so far

as the same can be ascertained, shall be kept by its treasurer at its business office, and all changes of name and address, and all deaths of alumni, shall, so far as the same can be ascertained, be noted upon such register, as they occur.

§ 521. Powers of trustees.—Unless otherwise provided by this article, the trustees of Cornell university shall possess the general powers of trustees of incorporated institutions of higher education.

Such trustees may also

1. Establish such faculties, departments or colleges of said university at Ithaca or elsewhere in the state as they shall deem necessary or proper to accomplish its purposes.

2. Prescribe rules for the government of the same, and direct where the work thereof shall be carried on.

3. Grant any and all literary, scientific, technical and professional degrees, and in testimony thereof award certificates and diplomas.

§ 522. Property of Cornell university.—The original grounds and farm of Cornell university, consisting of not less than two hundred acres, upon which its principal buildings are erected, shall not be encumbered, aliened or otherwise disposed of.

§ 523. University may take and hold property.—Cornell university may take and hold real and personal property to such an amount as may be or become necessary for the proper conduct and support of the several departments of education heretofore established or hereafter to be established by its board of trustees, and such real and personal property as has been, or may hereafter be given to such corporation by gift, grant, devise, or bequest in trust or otherwise, for the uses and purposes for which the university was established, and in cases of trusts so created the several trust estates shall be kept distinct, and the interest or income shall be faithfully applied to the purposes of such trust in accordance with the provisions of the act or instrument by which the respective trusts were created.

§ 524. Supplementary congressional appropriation.—The assent of this state to the provisions of an act of the congress of the United States approved August thirtieth, eighteen hundred and ninety, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of congress, approved July second, eighteen hundred and sixty-two," which assent is contained in chapter fifty-six of the laws of eighteen hundred and ninety-one, is continued in force, notwithstanding the repeal of said act by this chapter. The treasurer of this state shall keep

the account of all moneys hereafter received by him in pursuance of such act of congress, in a separate fund to the credit of Cornell university, and shall pay all such moneys immediately upon the receipt thereof by him to the treasurer of Cornell university, upon the warrant of the comptroller, issued upon the order of the trustees of Cornell university in pursuance of said act of congress.

§ 525. Students of Cornell university.—The several departments of Cornell university shall be open to applicants for admission thereto at the lowest rate of expense consistent with its welfare and efficiency, and without discrimination or distinction as to rank, class, previous occupation or locality. But with a view to equalize its advantages to all parts of the state, the institution shall receive students to the number of one each year from each assembly district in this state, to be selected as hereinafter provided, and shall give them instruction in any or in all the prescribed branches of study in any department of said institution, free of any tuition fee or of any incidental charges to be paid to said university, unless such incidental charges shall have been made to compensate for materials consumed by said students or for damages needlessly or purposely done by them to the property of said university. The said free instruction shall, moreover, be accorded to said students in consideration of their superior ability, and as a reward for superior scholarship in the academies and public schools of this state.

§ 526. Examination for state scholarships in Cornell university.—The right to free instruction shall be ascertained and determined as herein provided:

1. A competitive examination, under the direction of the state superintendent of public instruction, shall be held at the county court house in each county of the state, upon the first Saturday of June, in each year, by the city superintendents and the school commissioners of the county.

2. None but pupils of at least sixteen years of age and of six months' standing in the common schools or academies of the state, during the year immediately preceding the examination, shall be eligible.

3. Such examination shall be upon such subjects as may be designated by the president of the university. Question papers prepared by the department of public instruction shall be used, and the examination papers handed in by the different candidates shall be immediately forwarded to the department of public instruction, and such candidates shall, in the order of their excellence, become entitled to the scholarships belonging to their respective counties.

4. In case any candidate who may become entitled to a scholar-

ship shall fail to claim the same, or shall fail to pass the entrance examination at such university, or shall die, resign, absent himself without leave, be expelled or, for any other reason, shall abandon his right to or vacate such scholarship either before or after entering thereupon, then the candidate certified to be next entitled in the same county shall become entitled to the same. In case any scholarship belonging to any county shall not be claimed by any candidate resident in that county, the state superintendent may fill the same by appointing thereto some candidate first entitled to a vacancy in some other county, after notice has been served on the superintendent or commissioners of schools of said county. In any such case, the president of the university shall at once notify the superintendent of public instruction, and that officer shall immediately notify the candidate next entitled to the vacant scholarship of his right to the same.

5. Any state student who shall make it appear to the satisfaction of the president of the university that he requires leave of absence, for the purpose of earning funds with which to defray his living expenses while in attendance, may, in the discretion of the president, be granted such leave of absence, and may be allowed a period not exceeding six years from the commencement thereof for the completion of his course at said university.

6. In certifying the qualifications of the candidates, preference shall be given (where other qualifications are equal) to the children of those who have died in the military or naval service of the United States.

7. Notices of the time and place of the examinations shall be given in all the schools having pupils eligible thereto, prior to the first day of January in each year, and shall be published once a week, for three weeks, in at least two newspapers in each county immediately prior to the holding of such examinations. The state superintendent of public instruction shall attend to the giving and publishing of the notices hereinbefore provided for. He may, in his discretion, direct that the examination in any county may be held at some other time and place than that above specified, in which case it shall be held as directed by him. He shall keep full records in his department of the reports of the different examiners, showing the age, post-office address and standing of each candidate, and shall notify candidates of their rights under this chapter. He shall determine any controversies which may arise under the provisions of this chapter. He is hereby charged with the general supervision and direction of all matters in connection with the filling of such scholarships. Students enjoying the privileges of free scholarships shall, in common with the other students of said university, be subject to all of the examinations,

rules and requirements of the board of trustees or faculty of said university, except as herein provided.

§ 527. State veterinary college continued.—The state veterinary college heretofore established and located at Ithaca is continued, and shall be known as the New York State Veterinary College.

§ 528. Object of the New York State Veterinary College.—The object of the state veterinary college shall be:

1. To conduct investigations as to the nature, prevention and cure of all diseases of animals, including such as are communicable to man, and such as cause epizootics among live stock.

2. To investigate economical questions which will contribute to the more profitable breeding, rearing and utilization of animals.

3. To produce reliable standard preparations of toxins, anti-toxins and other products to be used in the diagnosis, prevention and cure of all diseases, and in conducting sanitary work by approved modern methods.

4. To give instruction in the normal structure and functions of the animal body, in the pathology, prevention and treatment of animal diseases, and in all matters pertaining to sanitary science as applied to live stock and correlatively to the human family, and in such other subjects as may be prescribed or authorized by law.

§ 529. Tuition fees.—No tuition fee shall be required of a student pursuing the regular veterinary course, and who, for one year immediately preceding his admission to such veterinary college, shall have been a resident of this state. The tuition fees charged to other students and all other fees and charges in such veterinary college shall be fixed by the trustees of Cornell University, and the moneys so received shall be expended for the current expenses of said veterinary college.

§ 530. Property to be owned by the state; custody thereof.—All buildings, furniture, apparatus and other property heretofore or hereafter erected and furnished by the state for such veterinary college shall be and remain the property of the state. Cornell University shall have the custody and control of said property, and shall, with whatever state moneys may be received for the purpose, administer the said veterinary college, and may appoint investigators, teachers and other officers, lay out lines of investigation, prescribe the requirements for admission and the course of study, and exercise such other power and authority as may be necessary and proper for the due administration of such veterinary college.

§ 531. Use of appropriations.—Cornell University shall receive no income, profit or compensation from the veterinary

college, but all moneys received from appropriations therefor or derived from other sources in the course of the administration thereof, shall be kept by said university, in a fund separate from the moneys of the university, and shall be used exclusively for the New York State Veterinary College. Such appropriations shall be payable to the treasurer of Cornell University in three equal payments, to be made on the first days of October, January and April in each year. Within each such month the university shall furnish to the comptroller satisfactory vouchers for the expenditures made during the period ending on the first day of the month.

§ 532. Report to the legislature.—The trustees of Cornell University shall, during the month of January in each year, make a report to the legislature, containing a detailed statement of the expenditures of the moneys appropriated by the state for the veterinary college and of the general operations thereof during the preceding college year.

§ 533. Special policemen for Cornell University.—The mayor of the city of Ithaca shall appoint, upon the recommendation of the trustees of Cornell University, not more than three special policemen of such city for the purpose of protecting the university, and preserving peace and order upon its grounds and by its students. Such special policemen shall have all the powers of policemen of such city and of constables of any town in such county, but the compensation of such special policemen shall be paid by the university.

§ 534. Instruction in agriculture.—Money appropriated for the promotion of agricultural knowledge throughout the state by Cornell University shall be expended as follows:

1. In giving instruction in agriculture throughout the state by means of schools, lectures and other university extension methods or otherwise.

2. In conducting agricultural investigations and experiments.

3. In discovering the diseases of plants and remedies therefor.

4. In ascertaining the best method of fertilization in agricultural and horticultural operations.

5. In ascertaining the best method of tillage and farm management, and improvement of live stock.

6. In preparing and printing for free distribution pamphlets, bulletins and leaflets, for the dissemination of agricultural knowledge, including the results of such investigations and experiments and such other information as may be deemed desirable and profitable in promoting the agricultural interests of the state.

§ 535. Employment of teachers and experts.—Cornell University, with the approval of the state commissioner of agriculture,

may employ and at pleasure remove teachers, experts and necessary clerical assistants, for the purposes of the last section; and with the like approval may fix and pay their compensation. All work by the persons so employed shall be under the general supervision and direction of the state commissioner of agriculture.

§ 536. State weather bureau.—The state meteorological bureau and weather service shall hereafter be known as the state weather bureau, and shall be under the control and management of Cornell University. The university may appoint a director of the bureau, but he shall not receive any compensation for his services. The university shall continue upon its grounds at Ithaca, the central office and station for meteorological observation and experiment and shall if practicable establish and supervise one or more volunteer weather stations in each congressional district of the state in co-operation with the chief of the United States weather bureau, for the purpose of increasing the usefulness of the weather service of the state and of the United States. The sum of four thousand five hundred dollars, or so much thereof as may be necessary, shall be annually appropriated to be paid to Cornell University by the treasurer, on the warrant of the comptroller, issued on the vouchers of the treasurer of the university, for necessary clerical services at such central office, for printing and distributing reports of the results and operations of such bureau, in such manner as shall be most serviceable to the people of the state, and for the purchase, preservation and repair of proper and necessary instruments for the work of such bureau, for the reasonably necessary traveling and incidental expenses of the director in the performance of his duties, and for such other expenses as may be necessary for the efficient administration of the bureau.

ARTICLE XX.

THE UNIVERSITY.

Section 560. Definitions.

561. The university.

562. Objects.

563. Regents.

564. Officers.

565. Duties of chancellor.

566. Duties of secretary.

567. Executive committee.

568. Meetings.

569. Ordinances, by-laws and rules.

570. Records to be under seal and public.

Section 571. Use of fees and gifts.

- 572. Regents may take testimony.
- 573. Copies or extracts.
- 574. Departments and their government.
- 575. Report by regents.
- 576. Institutions in the university.
- 577. Visitation.
- 578. Registration.
- 579. Reports of institutions.
- 580. Grants of state money.
- 581. Grants to academic schools and registered libraries.
- 582. Charters.
- 583. Provisional charters.
- 584. Limited charters.
- 585. Limitations on incorporation.
- 586. Powers of chartered institutions.
- 587. Change or suspension of charter.
- 588. Rechartering.
- 589. Dissolution.
- 590. Suspension of operations.
- 591. Stock or business corporations.
- 592. State examinations, credentials and degrees.
- 593. Academic examinations.
- 594. Admissions and fees.
- 595. Conferring degrees.
- 596. Trust to institutions, cities or villages.
- 597. Accumulation and restoration of funds.
- 598. Unauthorized use of name college or university.
- 599. Misdemeanors under this article.
- 600. Felony under this article.
- 601. Supreme court may review regents proceedings.

Section 560. Definitions.—As used in this chapter:

1. "Chartered" means incorporated by the regents or under a general or by a special law.

2. "Academic" refers to the four years of secondary instruction between elementary school and college. "Academic school" includes all schools or academic departments under visitation of the University and giving one or more years of academic instruction.

3. "High schools" are chartered public schools requiring for admission the completion of the elementary school course or its equivalent and giving a four-year course of academic or secondary instruction designed for general not special education.

"Academies" are similar chartered schools not supported by local taxation.

4. "Colleges" are chartered institutions requiring for admission not less than a four-year academic or high school course or its equivalent and having at least six professors giving their entire time to college work, and also adequate libraries, museums, laboratories and other equipment and facilities for giving one or more registered courses in the liberal arts and sciences.

5. "Universities" are endowed and chartered institutions with examining and degree-conferring powers, which have faculties, libraries, museums, laboratories and other equipment and facilities adequate for specialized instruction of the highest grade of students prepared by previous college training, and for conserving, advancing and disseminating knowledge of the liberal arts and sciences by research and publication, and which give courses leading to degrees in the general or philosophical faculty and in not less than three special schools.

6. "Special schools" are professional, technical and other schools, either departments of a university or independently chartered, whose distinctive object is to train for particular callings. Special schools are of academic, college or university grade, respectively, according as they require for entrance the completion of the elementary, academic or college course.

7. "Higher education" is that in advance of elementary schools, and is divided into academic, college and university grades, according as the institution requires for entrance the completion of an elementary, academic or college course. Besides the work of colleges and universities, it also includes the work of high schools, academies, academic and special schools and home education.

8. "Home education" is that gained by individual reading and study through libraries, museums, study clubs, classes, lectures, extension, correspondence, or personal instruction; summer, evening, vacation or other continuation schools or other agencies not a part of the common school system, for providing educational facilities and opportunities outside ordinary teaching institutions.

9. "General education" is that training and culture which is not designed as a special preparation for a particular calling as are the courses of the professional, technical and other special schools.

10. The "University" means University of the State of New York.

11. The "regents" means board of regents of the University of the State of New York.

12. "Trustees" means the governing board of an educational institution or association, whether called trustees, directors, managers or by any other name.

13. "President" includes chancellor, warden, director, dean or other name of the officer recognized by the institution as its official head.

14. "Ordinances" are rules made by the regents affecting institutions, associations or individuals brought into relation with the University by law.

15. "By-laws" are rules governing the regents' own organization and procedure, and defining the duties and powers of their committees and officers.

16. "Rules" includes ordinances, by-laws or other regulations.

17. "Registered" means registered by the University of the State of New York as maintaining proper educational standards.

18. "Academic fund" means the total amount of money appropriated by the state from the literature fund or other sources for the benefit of high schools, academies and academic schools.

§ 561. The university.—The corporation created in the year seventeen hundred and eighty-four under the name of the Regents of the University of the State of New York, is hereby continued under the name of the University of the State of New York.

§ 562. Objects.—The university shall

1. Encourage and promote higher education.
2. Visit and inspect all departments and institutions under its supervision.
3. Distribute to or expend or administer for them all property and funds which the state may appropriate or the university may own or hold in trust or otherwise for this purpose.
4. Perform other duties imposed on it by law.

§ 563. Regents.—The university shall be governed and all its corporate powers exercised by a board, composed of four ex-officio and nineteen elective regents. The governor, lieutenant-governor, secretary of state and superintendent of public instruction are ex-officio regents, and possess all the powers of elective regents. An elective regent must be chosen by viva voce vote of the senate and assembly in joint session at such times during a regular session of the legislature as they may determine.

An elective regent shall hold his office during good behavior. An elective regent hereafter chosen, must at the time of his election be thirty years of age.

A president, principal, instructor, trustee, or other officer or employe of an institution in the university is not eligible to the office of an elective regent.

If a regent fails to attend three consecutive meetings without written excuse accepted as satisfactory by the regents, not later than the third consecutive meeting from which he is absent, his

office shall be deemed vacant, and shall be filled by the legislature as herein provided.

§ 564. Officers.—The elective officers of the university shall be a chancellor, a vice-chancellor, a secretary, and such other officers as the regents may deem necessary. The officers shall be chosen by ballot by the regents and shall hold their office during their pleasure. Ten votes are necessary for the election, removal or change of salary of an officer. The chancellor and vice-chancellor shall serve without compensation.

§ 565. Duties of chancellor.—The chancellor shall preside at all convocations and meetings of the regents, and fix the time and place of all special meetings.

If he is absent or unable to act, the vice-chancellor, or if he is absent, the senior regent present, shall perform all the duties and have all the powers of the chancellor.

§ 566. Duties of secretary.—The secretary shall give an undertaking in the sum of ten thousand dollars for the faithful discharge of his duties, and as executive and financial officer shall be responsible for the safe keeping and proper use of the university seal, money received from appropriations or otherwise, and books, records, and other property in charge of the regents, and for the proper administration and discipline of its various departments, offices and interests. He may appoint, subject to confirmation by the chancellor, one or more deputies to exercise any powers of the secretary specified in the appointment or a by-law.

§ 567. Executive committee.—The regents may elect an executive committee of not less than seven, which may transact such university business as the regents may authorize, either by general rule or special vote, except to grant, alter, suspend or revoke charters, or to grant honorary degrees.

§ 568. Meetings.—An annual meeting shall be held by the board of regents at the time and place fixed by its by-laws. A regular meeting shall be held on the second Thursday of February and November, on the Monday after the fourth Friday in June, and at such other times as the regents may fix. A special meeting may be called by the chancellor at any time, and shall be called by him on the written request of five regents. A notice of an annual or regular meeting need not be given, but ten days' notice of a special meeting shall be mailed to the usual address of each regent.

§ 569. Ordinances, by-laws and rules.—The regents may, so far as consistent with law, make, alter, suspend or repeal any ordinances, by-laws or rules for the accomplishment of the trusts reposed in them, but shall not modify the freedom of the trustees

of any school for training priests or clergymen to determine and regulate its entire course of religious, doctrinal or theologic instruction. No ordinance, by-law or rule by which more than a majority vote is required for any specified action by the regents shall be amended, suspended or repealed by a smaller vote than that required for action thereunder.

§ 570. Records to be under seal and public.—Every charter or modification of a charter, or certificate pertaining to any corporation, degree, diploma or license, and similar official papers granted or issued by the university, must be under its seal and fully recorded in its office. Such records are open to public inspection and copies may be made therefrom without charge.

Except upon the order of the supreme court, records of meetings and discussions not open to the public, and of investigations, charges, irregularities, failures to pass examinations, and similar matters pertaining to individuals rather than to the public, shall be open to inspection or for copying only so far as the regents deem conducive to public interests.

§ 571. Use of fees and gifts.—The regents may use receipts for fees, fines, gifts, or sales of reports, bulletins and similar printed matter, for buying books, or for other expenses of their work. A statement of the total receipts and expenditures with proper vouchers shall be filed each year with the comptroller, who shall audit and receipt for the same.

§ 572. Regents may take testimony.—The regents or any committee thereof may take testimony or hear proofs in any matter relating to their official duties; subpoena and require the attendance in this state of witnesses, and the production by them of books and papers touching the subject of investigation, and examine them, relating to the administration of the affairs of the university.

§ 573. Copies or extracts.—Copies of or extracts from a record, book, pamphlet, or paper in the custody of the university, if duly authenticated under its seal and the hand of the secretary or his deputy as a true copy of such original and of the whole thereof, may be used and read in evidence in all courts and places in this state, with the same force and effect as the original.

§ 574. Departments and their government.—The state library and the state museum are departments of the university, and the regents may also establish other departments. The university and all its administrative departments are under exclusive control of the regents, who have all powers of trustees thereof, and may:

1. Appoint needed officers and employes.
2. Fix their titles, duties, salaries and terms of service.

3. Make all needed rules.

4. Buy, sell, exchange or receive by will, gift or grant, or on deposit books, collections or other property pertaining to the university work.

5. Lend or give to or deposit permanently with other institutions books, specimens or other articles in their custody which in this way can be made more useful.

6. Maintain lectures, circulate publications and lend temporarily books, libraries, apparatus and collections connected with higher or home education in this state.

7. Co-operate with other agencies in bringing within the reach of the people at large increased educational opportunities and facilities by stimulating interest, recommending methods, designating suitable teachers and lecturers, conducting examinations, granting credentials and otherwise aiding such work.

§ 575. Report by regents.—The regents shall report to the legislature at the opening of each session the condition of the university and each of its departments and institutions, with such recommendations or farther information concerning their work as the regents may deem proper. Such extracts from their reports as they deem necessary for earlier use shall be printed by the state printer in pamphlet form.

§ 576. Institutions in the university.—All institutions of higher education now or hereafter incorporated in this state, either by the regents or by general or special law, are members of the university, except those holding limited charters or excluded or suspended by ordinance or specific action of the regents. The regents may also admit to university membership any institution or association which they might incorporate, if it conforms to the ordinances for admission. They may exclude or suspend any institution falling below the minimum educational standard or failing to comply with any ordinance or requirement of law, and they shall exclude every corporation, association or institution not so organized that all its assets or receipts from tuition or other sources must be used solely for public benefit and without profit to stockholders, officers or teachers beyond reasonable compensation for services actually rendered. The existing charter of any such institution may be replaced with a limited charter.

Exclusion or suspension shall cut off all rights and privileges as a university institution, but shall not relieve from university visitation, the operation of any law or university ordinance, or from other liability or responsibility; nor shall any institution have power to withdraw from the university or its visitation unless it was admitted with this express provision.

§ 577. Visitation.—Every institution in the university or chartered by it is subject to its visitation, ordinances and rules. The regents by their committees, officers and inspectors, shall before each report to the legislature, examine into the condition and operations of every department and institution in the university.

§ 578. Registration.—Under such rules as to visitation and reports, and such other conditions as they may prescribe, the regents may register any institution or association for higher education as maintaining the educational standards required for admission to the university. Such registration shall be accepted in all places in this state as prima facie evidence of the maintenance of proper educational standards.

§ 579. Reports of institutions.—Each university institution shall submit to the regents as annual report verified by its presiding officer, in the form, at the time, and containing the information prescribed by the regents, concerning trustees, officers, faculty, students, instruction, equipment, methods, operations, investments, receipts, expenditures, and general condition and needs. The regents may suspend the charter or any right or privilege of an institution for refusal or continued neglect to make such report.

§ 580. Grants of state money.—Money appropriated by the state for the benefit or support of high schools, academies, public libraries or other institutions in the university, shall be paid by the state comptroller and treasurer on an apportionment by the university under its seal certified as being in accordance with law and its rules. No institution shall share in such grants till the regents are satisfied by personal inspection by one of their officers, the necessary expenses of which inspection may be included in the apportionment, that it has suitable buildings, furniture and educational equipment and facilities, and has complied with all university requirements. Books, apparatus or other educational equipment furnished by the state or bought with money from state funds, shall be subject to return to the university whenever the charter of the institution is revoked or suspended or it discontinues its educational operations.

§ 581. Grants to academic schools and registered libraries.—There shall be paid each year one hundred dollars to each academic school and not to exceed two hundred dollars to each chartered and registered library certified to the comptroller by the regents as having complied with all laws and ordinances during the preceding school year, and as entitled to share in the grants, and there shall be added each year to the appropriation for these grants, such sum as the comptroller shall report as necessary to make up any deficiency in the literature fund income or in the

public library appropriation so that each academic school and registered library may receive the full amount to which it is entitled by the university ordinances, notwithstanding any increase in the number of schools, pupils or libraries to which grants must be made.

§ 582. Charters.—The regents, if satisfied that public interests will be promoted thereby, may incorporate a university, college, professional, technical or other special school, a high school, academy, library, museum or other institution or association for the promotion of education, science, literature, art, history or other department of knowledge, under such name, with such number of trustees, and with such powers, privileges and duties, and subject to such limitations and restrictions in all respects as the regents may prescribe in its charter or by ordinance in conformity to law. Any institution or association so chartered shall have perpetual succession, and all other powers of a corporation created by or under a general law, and unless otherwise specified in its charter, the number of its trustees shall be **five**.

§ 583. Provisional charters.—On evidence that the conditions for an absolute charter will be met within a fixed time, a provisional charter may be granted for such time and on such conditions as the regents prescribe. This provisional charter shall be replaced by an absolute charter when the conditions are fully met, but otherwise, on notice to that effect from the regents, after the period specified, or after default in performing any condition imposed, such a charter is void and the regents shall wind up the affairs of the corporation as provided in this article. No degree can be conferred by an institution holding a provisional charter.

§ 584. Limited charters.—If the regents are satisfied that public interests justify the incorporation of an institution or association which does not meet the requirements for admission to the University, they may grant a limited charter which shall give it the powers and immunities of a corporation created under general laws, but shall not entitle it to membership in the University, to exemption from taxation, nor to the right to receive grants from state funds, to conduct examinations for regents' credentials, to vote in convocation or to share other privileges extended only to institutions in the University. Such institutions or associations shall report annually to the regents and be subject to their visitation and to all applicable provisions of the general, stock, and membership corporation laws and of the university law.

§ 585. Limitations on incorporation.

1. No institution for higher education shall be chartered without suitable provision approved by the regents for buildings, furniture, educational equipment and proper maintenance.

2. No institution shall have a faculty, school or branch, or carry on its work in any place not specified in its charter.

3. No institution shall be empowered to confer degrees in this state unless it has resources of five hundred thousand dollars.

4. No institution for higher education shall be incorporated under a general law without a special charter from the regents, nor shall any corporation under authority of a general law extend its business or enlarge the scope to include establishing or carrying on such an institution.

§ 586. Powers of chartered institutions.—Each chartered institution of higher education shall be governed and its corporate powers exercised by a board of trustees. If an institution has more than five trustees, the body that elects, by a two-thirds vote may reduce the number to not less than five by abolishing the office of any trustee which is vacant, and filing in the regents' office a certificate of the action. Unless otherwise provided by law or its charter, trustees may:

1. Hold regular meetings at times and places fixed by their by-laws, which must provide for an annual meeting. A special meeting may be called by the president, and shall be called by him, or in his absence from the state by the senior trustee, on written request of three trustees. Seniority shall be according to the order in which the trustees are named in the charter or subsequently elected. Seven days' notice of a special meeting shall be mailed to the usual address of each trustee.

2. Appoint and fix the duties, salaries and terms of service of a president, secretary and treasurer, and any other needed officers or employees, who, unless under special contract, shall hold their offices during the pleasure of the trustees; but no trustee shall receive compensation as such.

3. Elect an executive committee of not less than five who, in intervals between meetings of the board, may transact such business as it may authorize by general rule or special vote, except to grant honorary degrees.

4. Fill a vacancy occurring in the office of a trustee by electing another for the unexpired term. The office of a trustee becomes vacant on his death, resignation, refusal to act, removal from office or expiration of his term. If a trustee fails to attend three consecutive meetings without written excuse accepted as satisfactory by the trustees not later than the third consecutive meeting from which he is absent, he shall be deemed to have resigned, and the vacancy shall be filled. A vacancy in

the office of trustee continuing for more than one year, or a vacancy reducing the number of trustees to less than two-thirds of the full number, may be filled by the regents.

5. Remove or suspend from office by a vote of a majority of the entire board any trustee, officer or employe engaged under special contract, on examination and due proof of the truth of a written complaint by any trustee, of misconduct, incapacity or neglect of duty; but one week's previous notice of the proposed action must be given to the accused and to each trustee.

6. Take and hold by grant, gift, devise or bequest, either absolutely or in trust for any purpose embraced in the objects of the corporation, property to the amount allowed by law, and also in excess of that amount if authorized by the university within one year after the delivery of the instrument, or probate of the will, by which such grant, gift, devise or bequest is effected.

7. Buy, sell, exchange, mortgage, let and otherwise use and dispose of the property as they shall deem for the best interests of the institution; and also to give, lend or deposit, or to receive as a gift, loan or deposit, literary, scientific or other articles, collections or property pertaining to its work. Such gifts, loans or deposits may be made to or with the university or any of its institutions by any person, or by the vote of any board of trustees, corporation, association or school district any such transfer of property, if approved by the regents, shall during its continuance, transfer responsibility therefor to the institution receiving it, which shall also be entitled to receive any money, books or other property from the state or other sources to which said corporation, association or district would have been entitled but for such transfer.

8. Grant under seal, in conformity with university ordinances, such literary honors, degrees or diplomas as are specifically authorized by their charter.

9. Make all needed rules, including ordinances, by-laws or other formal regulations, for the purposes of the institution, and not inconsistent with law or ordinance; but no rule by which more than a majority vote is required for any specified action by the trustees shall be amended, suspended or repealed by a smaller vote than that required for action thereunder.

§ 587. Change or suspension of charter.—The regents for violation of law or university ordinance or for other sufficient cause may change the name or number of trustees, or alter, suspend or revoke the charter or incorporation of any institution which they might charter, under this article, if subject to their visitation, but such action shall be taken only on unanimous written request of the trustees of the institution, or after thirty days' notice mailed

to each trustee of an opportunity to be heard. If the charter is revoked, the regents shall make such disposition of property remaining after payment of debts and liabilities as they deem just and equitable and best promoting public interests. During the suspension of the charter property rights are not affected, but the trustees cannot carry on the institution, dispose of its property or exercise other corporate powers.

§ 588. Rechartering.—The regents under like restrictions may issue to any such educational corporation a new charter which shall take the place in all respects of that under which it was operating, and such change of charter shall in no way affect its contract or property rights.

§ 589. Dissolution.—The regents under like restrictions may dissolve any such educational corporation, whether with or without a capital stock, and whether incorporated by the regents or under a general or by a special law, and direct the disposition of its property as in case of a revocation.

§ 590. Suspension of operations.—If an institution under regents' visitation discontinues its educational operations without their permission, its charter shall be surrendered to them on demand and may be revoked or suspended till it arranges satisfactorily to resume its work.

§ 591. Stock or business corporations.—No educational institution or association incorporated or conducted as a business enterprise so that any part of its assets or income may be divided among stockholders or members, shall have university membership or share in any grant of public money, or publish itself as holding its charter from or having any connection with the university except in words for the use of which it has written permission from the regents. If subject to university supervision it shall use the words "chartered as a stock (or business) corporation" or some other descriptive word or phrase accepted by the regents as sufficiently indicating its proprietary character wherever the fact of its incorporation is printed.

This section applies to all corporations holding limited charters from the university, and also to every association or institution under university supervision not so organized that all its assets and receipts from tuition or other sources must be used solely for the benefit of the public and without profit to stockholders, officers or teachers, beyond reasonable compensation for services actually rendered.

§ 592. State examinations, credentials and degrees.—The regents may:

1. Establish and conduct examinations as to attainments in learning.

2. Award and confer certificates, diplomas and degrees on persons who meet the prescribed requirements.

3. Confer honorary titles or degrees in recognition of distinguished attainments or public services.

§ 593. Academic examinations.—The university shall conduct in its academic schools, examinations in studies furnishing a suitable standard of academic graduation and of admission to colleges, and confer certificates or diplomas on students who satisfactorily pass such examinations.

§ 594. Admissions and fees.—Any person who complies with the university rules may take the academic examinations without charge, and other examinations on paying the fee prescribed for each branch.

§ 595. Conferring degrees.—A diploma or degree can be conferred only by a chartered institution of learning specially authorized by statute or by the university.

§ 596. Trusts to institutions, cities or villages.—Property may be granted to an institution in the university or to a city or village, to be held in trust to found or maintain professorships and scholarships; or for any other purpose of education, or the diffusion of knowledge. Such a trust shall be received, held and enjoyed subject to any conditions which may be made between the grantor or donor, and the institution, city or village.

§ 597. Accumulation and restoration of funds.—Unless the agreement otherwise provides, the income of a trust created by the last section may accumulate until it amounts to a sum sufficient in the opinion of the regents to carry into effect the purposes of the trust.

If the principal of such a trust fund is diminished from any cause, the diminution may be made up by accumulation of interest or income of the remaining principal, in accordance with the directions, if any, in the agreement. If the agreement contains no directions for that purpose, the diminution may be made up in whole or in part by such accumulation in the discretion of the trustees of the fund, but such accumulation shall not be allowed to increase the trust fund beyond the true amount or value thereof to be estimated after deducting all liens and incumbrances thereon and the expenses paid or incurred in collecting or obtaining possession of the same.

§ 598. Unauthorized use of the name college or university.—It shall be a misdemeanor for any individual, association or corporation not holding university or college-degree conferring power from the regents, or by special statute of this state, to assume to confer any degree or to transact business under or assume the name, university or college, without permission of the regents

under seal. No such permission shall be granted, except to chartered institutions meeting the requirements of the university ordinances.

§ 599. Misdemeanors under this article.—A person is guilty of a misdemeanor who:

1. Buys, sells, or fraudulently or illegally makes or alters, gives, issues or obtains a diploma, certificate or other instrument purporting to confer a literary, scientific, professional or other degree, or to constitute a license, or to certify to the completion, in whole or in part, of a course of study, in any educational institution;

2. With intent to defraud appends to his name any letters in the same form registered by the regents as entitled to the protection accorded to university degrees, unless he has received from a duly authorized institution the degree for which the letters are registered.

3. With intent to defraud, falsely represents himself to have received a degree or credential from any institution of learning.

4. Personates another by attempting to take an examination in his name, or procures a person thus falsely to personate another, or otherwise attempts to secure the record of having passed such examination in violation of the university rules.

5. Aids or abets another or advertises or offers himself to violate the provisions of this section.

§ 600. Felony under this article.—A person is guilty of felony who counterfeits or falsely or without authority makes or alters in a material respect a credential under seal issued by any chartered institution of higher education.

§ 601. Supreme court may review regents proceedings.—An official act of the regents, or their neglect or refusal to act, may, on the application of any person or institution aggrieved thereby and interested therein, be reviewed by the supreme court in the manner prescribed or authorized by law.

ARTICLE XXI.

LIBRARIES.

Section 630. Definitions.

631. Classification of libraries.

632. Supervision.

633. State library; how constituted.

634. When open.

635. Use of state library.

636. Traveling libraries.

637. Paid help.

Section 638. Instruction in library management.

- 639. Regents to have charge of certain publications.
- 640. Indexing.
- 641. Duplicate department.
- 642. Public documents for libraries.
- 643. Transfer from state officers.
- 644. Certain other libraries deemed part of state library.
- 645. Annual report.
- 646. Court of appeals and appellate division libraries.
- 647. Judges' libraries.
- 648. Attorney-general's library.
- 649. Appellate division libraries.
- 650. Judicial district libraries.
- 651. Location and maintenance of law libraries.
- 652. Books for law libraries; how furnished.
- 653. Use of law libraries.
- 654. Libraries of law libraries.
- 655. Regents may make rules.
- 656. Insurance of law libraries.
- 657. Expense of insurance; how paid.
- 658. Libraries in public institutions.
- 659. Continuance of certain libraries.
- 660. Establishment.
- 661. Contract for library privileges.
- 662. Submission of proposition.
- 663. Trustees.
- 664. Charter.
- 665. Powers and liabilities of chartered libraries.
- 666. Library to be free.
- 667. Nonresident privileges.
- 668. Neglect by library trustees.
- 669. When regents may take control of library.
- 670. Abolition of public library.
- 671. Abandoned libraries.
- 672. Transfer of libraries.
- 673. Grants of public library money.
- 674. Taxes.
- 675. Aid to free libraries.
- 676. Limitations.
- 677. Selecting books.
- 678. Detention.
- 679. Injuries to property.
- 680. Home education.
- 681. State museum.
- 682. Collections made by the staff.

Section 683. Inspection of museum property.

684. State teachers' library.

685. School libraries.

686. Superintendent to make rules.

687. Books for libraries.

688. School district librarian.

689. Compensation of librarian.

690. When district to share in library money.

691. Disposition of unappropriated library money.

§ 630. Definitions.—As used in this chapter:

1. "Library" includes reference and circulating libraries, reading rooms and combined libraries and museums.

2. A chartered library is one incorporated by the regents or under a general or special law, but not a library conducted under a charter held for other than library purposes by a municipal or other corporation, unless such library is admitted to the university.

3. A "public library" is a chartered library for free public use, owned or controlled by a municipality or district. The state library and its branches are also public libraries.

4. A "free library" is a chartered library for free public use, but not owned or controlled by a municipality or district.

5. "Registered" means registered by the university after official inspection, as maintaining proper library standards.

6. "Books" includes books, pamphlets, serials, manuscripts, maps, music, photographs, engravings or similar property belonging in a library.

§ 631. Libraries included in this article.—The following libraries are included in this article:

1. State library.

2. Traveling libraries.

3. Senate and assembly libraries.

4. The general consultation library of the court of appeals at Albany, and also the libraries assigned to the several judges of the court.

5. Libraries of the appellate divisions of the supreme court.

6. Judicial district libraries.

7. Attorney-general's library.

8. Libraries in public institutions.

9. Public libraries.

10. Chartered free libraries and museums.

11. State teachers' library.

12. School libraries.

§ 632. Supervision.—The public libraries included in this article, except as otherwise herein provided, are under supervision of the

regents, except the libraries of the senate and assembly, which are under their supervision; the state teachers' library and the school libraries, which are under supervision of the state superintendent; the consultation library of the court of appeals, at Albany, which is under supervision of that court; the several libraries assigned to the judges of the court of appeals, which are under supervision of the respective judges; the libraries of the appellate division of the supreme court in the first department known as the New York library, and of the supreme court in the first judicial district, and of the appellate division in the second and third departments, which are under the supervision of the justices of said respective appellate divisions; and the attorney-general's library, which is under his supervision.

§ 633. State library; how constituted.—The state library, established in the year eighteen hundred and eighteen for the use of the government and people of this state, consists of:

1. Manuscript or printed papers of the legislature usually termed "on file," and which have been on file more than two years in the custody of the clerk of the senate, or one year in the custody of the clerk of the assembly. No such paper or record shall be removed from such files, except on resolution of the senate or assembly, withdrawing it temporarily; and in case of such removal a description of the paper or record and the name of the person removing it shall be entered in a book provided for that purpose, with the date of its delivery and return.

2. All other public records of the state, not specifically placed in other custody by law.

3. Similar material placed in other custody and afterwards transferred to the state library.

4. Books, libraries, pictures and collections bought or set apart by the regents to be lent throughout the state, either singly or as traveling libraries, either free or for a fee covering not more than actual expenses.

5. All similar material included in the duplicate department.

6. All other books, pamphlets, manuscripts, records, archives, maps, photographs, engravings and other property appropriate to a general library, owned by the state, and not specifically placed in other custody.

The regents shall cause all books, pamphlets, papers and records in the state library to be so classified that they can be easily found.

§ 634. When open.—The state library and museum shall be open not less than eight hours every week day.

§ 635. Use of state library.—The regents shall make for the state library such rules as will best and most effectively carry

out the purpose of its foundation. All citizens of this state may have free use of the library for reference, and as far as the regents find safe and practicable, its resources and facilities shall be made widely available and books shall be lent to institutions in the university and to authors, teachers and other persons engaged in scholarly pursuits or needing such loans. Members of the legislature, judges of the court of appeals, justices of the supreme court, elective state officers, and the heads, assistants and deputies of state departments, bureaus, boards and commissions, may borrow from the library books for use in Albany, subject to such restrictions and penalties as may be prescribed for its safety or greater usefulness. Every registered physician residing in the state may borrow books from the state medical library in accordance with its rules. Others may use or borrow books only on such conditions as the regents prescribe.

§ 636. Traveling libraries.—The regents may establish and maintain traveling libraries which shall consist of selections of books, to be lent as a whole, for a specified term, for free use under their supervision, to communities, libraries, clubs or other borrowers. The fee for such a library shall not exceed the average cost of transportation and incidental expenses, not counting the cost of books or cases.

§ 637. Paid help.—The regents may, so far as practicable and as demand warrants, provide for the convenience of readers in the state library or for those using its facilities through correspondence, the services of typewriters, stenographers, copyists and translators, and bibliographic and other expert library assistants. To cover the actual extra cost of such help beyond that usually rendered in libraries, the regents may in their discretion charge a proper fee to nonresidents or for assistance of a personal nature, or for other reasons not properly an expense to the state, but which they may authorize to accommodate users of the library.

§ 638. Instruction in library management.—The regents shall on request, in such manner and on such terms as they deem best, furnish advice, instruction and information to libraries, trustees or others interested in library management.

§ 639. Regents to have charge of certain publications.—The regents shall have charge of the preparation, publication and distribution, whether by sale, exchange or gift, of the colonial history, natural history, and all other publications not otherwise assigned by law.

§ 640. Indexing.—The indexers in the state library when requested by the officer in charge of any state publication, or by the state printer if such officer shall fail to furnish a proper index, shall as promptly as consistent with their other duties pre-

pare for it a suitable index, and all indexing which is not done by the officers or the clerks who prepared the publication shall be done under this section by the state library.

§ 641. Duplicate department.—The regents shall maintain a duplicate department in the state library, to which the printers shall deliver as soon as completed five copies of each publication issued at state expense, and the receipt for these five copies shall be accepted in their place by the officer to whom the printer delivers the edition. Each state library, bureau, board, commission or officer shall once each year on request from the state library deliver to this duplicate department any copies of its own or other publications in its custody which it no longer requires for official use. No such publications shall be sold or otherwise disposed of except as they are distributed in regular course. The regents shall make rules for sale, exchange or free distribution or sale for waste paper from this duplicate department, and all receipts shall be used for expenses and for increasing the state library.

§ 642. Public documents for libraries.—The state printers shall furnish to the duplicate department, immediately after its printing, as many copies of each publication printed at state expense as the regents certify to be necessary to enable them to supply one copy to each library conforming to their rules as to preservation and making available for public reference and registered as properly entitled to such publication. Before such publication is printed, the printer shall notify, in writing, the head of the department or other officer in charge of the publication, that the regents require a specified number of library copies. Such head of department or officer may thereupon notify the printer that all the copies provided by law for such department are needed for public distribution, or may require the delivery of a smaller number, and copies shall be delivered to such department accordingly. If no such notice is given to the printer, the library copies shall be deducted from the number required by law for delivery to a department.

§ 643. Transfers from state officers.—The librarian of any library owned by the state, or the officer in charge of any state department, bureau, board, commission or other office, may, with the approval of the regents, transfer to the permanent custody of the state library or museum any books, papers, maps, manuscripts, specimens or other articles, which, because of being duplicates or for other reasons, will, in his judgment, be more useful in the state library or museum than if retained in his keeping.

§ 644. Certain other libraries deemed part of state library.—All libraries owned by the state shall be considered as branches

of the state library, and shall be entitled to all facilities for buying, exchange of duplicates, interlibrary loans, or other privileges accorded to a branch. The librarian of each such library under regents' supervision shall annually file with the regents a report showing the total number of books and pamphlets in such library, and the number added, lost or withdrawn during the preceding year; with a summary of operations and conditions, any other information required by the regents, and any needed recommendations for safety or usefulness.

§ 645. Annual report.—The regents shall annually report to the legislature, at the opening of each session, concerning the state library, and each other library owned by the state, including a statement of the total number of volumes and pamphlets therein, the number added, lost or withdrawn during the year, and a summary of operations and conditions, with any needed recommendations for safety or usefulness. The officer in charge of any library owned by the state and not under supervision of the regents shall furnish them the information required for this report. Such report shall also include a summary of the reports made by the other libraries in the university or under its supervision, and every library shall furnish such report, information and facilities and opportunities for inspection or visitation the regents may require for making their report. Every library or museum which receives state aid or enjoys any exemption from taxation or other privilege not usually accorded to business corporations shall make the report required by this chapter. Such report shall relieve the institution from making any report now required by statute or charter to be made to the legislature, or to any department, court or other authority of the state.

§ 646. Court of appeals and appellate division libraries.—The consultation library of the court of appeals is under the exclusive supervision of that court, and additions thereto may be made by the chief judge from any funds available for that purpose. The consultation libraries of the appellate division in the first, second and third departments and of the supreme court in the first district are under the exclusive supervision of the respective appellate divisions of said department, and additions thereto may be made by the presiding justice thereof from any fund available for that purpose.

§ 647. Judges' libraries.—The law libraries heretofore established for the use of the judges of the court of appeals are continued. Each judge shall have the sole custody and control of the library assigned to him, and upon the expiration of his term of office it shall be delivered to his successor. The judge may buy books for such library out of any funds available for that

purpose. Each judge shall keep the library in his possession insured for the benefit of the state, and in case of loss or injury to such library, the proceeds of the insurance shall be used in buying new books.

§ 648. Attorney-general's library.—The law library in the office of the attorney-general, purchased by the state, is continued, and shall be known as the attorney-general's library. He is the librarian thereof, and responsible for its custody and safe-keeping. He may make additions to such library by purchase or otherwise as may be authorized by law.

§ 649. Appellate division libraries.—The libraries heretofore established for the appellate division of the supreme court in the first, second and third departments, are continued. The library in Rochester known as the court of appeals library, shall hereafter be known as the appellate division library for the fourth department.

§ 650. Judicial district libraries.—The following supreme court law libraries are continued, and shall hereafter be known as judicial district libraries:

1. In the first judicial district, the district library in the county of New York.

2. In the second judicial district, the district libraries in the county of Kings and in Newburgh.

3. In the third judicial district, the library in Kingston.

4. In the fourth judicial district, the libraries in Schenectady and Saratoga Springs.

5. In the fifth judicial district, the library in Utica, and the library hereby established in Syracuse.

6. In the sixth judicial district, the libraries in Delhi, Binghamton and Elmira.

7. In the eighth judicial district, the library in Buffalo.

The law library in Syracuse known as the court of appeals library, shall hereafter be known as the fifth judicial district library in Syracuse.

§ 651. Location and maintenance of law libraries.—The law libraries, except the state library, shall, so far as practicable, be kept in courthouses or other public municipal buildings, and without expense to the state. Each county in which such a library is located shall at its expense provide for the heating, lighting and janitor service thereof.

§ 652. Books for law libraries; how furnished.—The regents shall place in each appellate division and judicial district law library such books as should in their judgment become a part thereof. They shall also furnish books as follows:

1. To an appellate division library, upon the request of the presiding justice of the department.

2. To a judicial district library, upon the request of a majority of the resident justices, or of a book committee of such justices, appointed by them for that purpose, except in the first district, where such books shall be furnished upon the request of the appellate division in the first department.

653. Use of law libraries.—Appellate division and judicial district law libraries shall be maintained as free public libraries for the use of the people of the state, except the appellate division libraries in the first, second and third departments, and of the supreme court in the first judicial district, which shall remain as heretofore in the consultation rooms of the justices of said courts respectively, for the use of said courts and their justices respectively. The justices of the supreme court may borrow books from such district libraries for use elsewhere within the district under reasonable regulations prescribed by the regents.

§ 654. Librarians of law libraries.—The librarians and assistants of the several law libraries included in and continued by this article now in office shall continue therein until removed by the authorities by whom they were appointed. Except in the first district, the successors of such librarians and assistants of judicial district libraries and of the appellate division library in the fourth department shall be appointed and may be removed at pleasure by the trial justices of the district in which such a library is located. The librarian and assistant librarian of law libraries in the first department and district shall continue in office until removed by the appellate division of the supreme court in the first department. Their successors shall be appointed and may be removed at pleasure by the justices of such appellate division and their compensation and that of their successors shall be twenty-five hundred dollars per annum each, payable by the county of New York. Elsewhere the compensation of the several librarians and assistants of the state library and law libraries shall be fixed by the regents and is a charge against the state.

§ 655. Regents may make rules.—The regents may make, alter and repeal rules not inconsistent with law, concerning the use of the several law libraries, except in the first department and district, and may require from each librarian annual reports, containing such information as they may prescribe. The rules concerning the use of the law libraries in the first department and district shall be made by the appellate division in the first department.

§ 656. Insurance of law libraries.—The regents may insure any library under their supervision, and shall comply with the terms

and conditions of the policy. In case of loss or injury to a library so insured, the proceeds of the insurance shall be used by the regents in buying new books for such library.

§ 657. Expense of insurance; how paid.—The expense of insuring law libraries included in this chapter is a charge against the state, to be paid by the university.

§ 658. Libraries in public institutions.—Libraries owned by the state in hospitals, state charitable, penal and other public institutions, shall be under immediate supervision as follows:

1. In state hospitals or state charitable institutions, of board of managers.

2. In a state prison, of the superintendent of state prisons.

3. In any other penal institution, of the local governing board.

4. In a normal school or normal college, of the local board of trustees.

5. In a state school for the blind or for deaf mutes, of the local board of trustees.

6. In any other public institution, of the local governing body thereof.

The libraries in normal schools, the normal college and in state schools for the blind or for deaf mutes are under the general supervision of the state superintendent. The other libraries named in this section are under the general supervision of the regents. All libraries named in this section are branches of the state library and entitled to all the privileges otherwise accorded by this article to a branch. A library included in this section is not under general supervision unless it has five hundred volumes, but may become subject to such supervision upon application, and the approval of the officer or board herein charged with the general supervision of such libraries.

§ 659. Continuance of certain libraries.—All chartered libraries heretofore established are continued, and are entitled to the same privileges, and subject to the same liabilities, as if established under this chapter.

§ 660. Establishment.—A public library may be established as follows:

1. In a county, by the board of supervisors.

2. In a city, by the municipal assembly or common council.

3. In a town, by the town board.

4. In a village, by the board of trustees.

5. In a union school district, by the board of education.

6. In a common school district, by the trustee.

7. In a school district established by special law, by the governing body thereof.

In a county, city or village of the first class, a public library may be established without a vote of the people; elsewhere it can

be established only on adoption of a proposition therefor at a district meeting, or a municipal election. Two or more of the foregoing bodies may unite in the establishment of a library on such terms as the proper bodies may agree upon, and any difference as to their respective rights and responsibilities shall be determined by the ordinances or decisions of the regents.

A municipality or district named in this section may raise money by tax to establish and maintain a library, or to share the cost as agreed with other bodies, or to pay for library privileges under a contract therefor.

§ 661. Contracts for library privileges.—A municipality or district may, with the approval of the regents and in the manner provided by the last section for the establishment of a public library, contract with any responsible party for the free use of a library by the people of such municipality or district.

§ 662. Submission of proposition.—The officers or board herein authorized to establish a library shall submit a proposition therefor at an election, upon the petition of twenty-five taxable voters. Such proposition may be submitted at an annual election, or at a special election to be called as provided by law. If submitted at an annual election, it must be upon the notice required for a special election. A district meeting is deemed an election within the meaning of this provision.

§ 663. Trustees.—Each public library established as herein provided shall, unless otherwise specified in its charter, have five trustees, who shall be appointed as follows:

1. In a city, by the mayor.
2. In a county, by the county judge.
3. In a town, by the supervisor.
4. In a village, by the board of trustees.
5. In a district coterminous with a village, by the school authorities.
6. In a union school district, except as otherwise herein provided, by the board of education.

7. In a common school district, trustees shall be elected at an annual meeting.

Unless the charter otherwise provides, the trustees first appointed shall determine by lot their terms of office, so that one term shall expire each year. A trustee shall annually thereafter be chosen for a full term. Vacancies may be filled in like manner for the remainder of the unexpired term. Trustees of libraries are public officers.

§ 664. Charter.—Within thirty days after their appointment or election, the first board of trustees shall apply to the regents for a charter, which shall be issued under the conditions and in the manner prescribed by this chapter.

§ 665. Powers and liabilities of chartered libraries.—Chartered libraries shall have the powers, make the reports and be subject to the other duties and restrictions prescribed in this chapter for incorporated educational institutions under supervision of the university.

§ 666. Library to be free.—Every public library, except as herein otherwise provided, shall be forever free to the inhabitants of the locality which establishes it. The library trustees may make rules for the use of such library, and may exclude from such use any person who wilfully violates such rules.

§ 667. Nonresident privileges.—The trustees may extend the privileges of a public library to nonresidents either with or without fee for its use.

§ 668. Neglect by library trustees.—If the trustees of a public library fail to provide for its safety and public usefulness, the regents shall serve a notice upon them that they have failed to comply with the requirements imposed by the state in relation to libraries. On the service of such a notice all the rights of such library to further grants of money or books from the state shall be suspended, until the regents certify that the requirements have been met.

§ 669. When regents may take control of library.—If the trustees refuse or neglect to comply with such requirements within sixty days after service of the notice, the regents may remove them from office, and thereafter all books and other library property, wholly or in part paid for from state money, shall be under the full and direct control of the regents who, if they deem best, may appoint new trustees to carry on the library, or may store it, or distribute its books to other libraries.

§ 670. Abolition of public library.—A public library may be abolished only on adoption of a proposition therefor at two successive annual elections. If the proposition is adopted, a certified copy thereof shall be transmitted to the university, which shall forthwith appraise the library property. The trustees shall thereupon deliver to the university books or other property equal in value to the aggregate sum received by the library from the state or from other sources as gifts for public use. The remaining books and property shall be disposed of as directed in the proposition abolishing the library. But if the entire library property does not exceed in value the amount of such gifts, it may be transferred to the regents for public use, and the trustees shall thereupon be freed from further responsibility. No abolition of a public library shall be lawful till the regents grant a certificate that its assets have been properly distributed and its abolition completed in accordance with law.

§ 671. Abandoned libraries.—Books or other property belonging to any library which have not been in direct charge of a duly appointed librarian within one year, shall be deemed abandoned by the owners, and may be taken and thereafter owned by any public library in the same county which has received from the university written permission to collect such books, and to administer them for the benefit of the public. Any person, association or corporation having possession of books or other property belonging to any school, district, or other public library, except books regularly borrowed and charged for a period not yet expired, shall deliver the same on demand to the legally appointed librarian of such library, or of the public library duly authorized to take the same as provided in this section, and wilful neglect or refusal to comply with this provision shall be a misdemeanor. If a school library is so abandoned the school authorities may retain for the use of the school, dictionaries, encyclopedias and books relating to the science and practice of teaching.

§ 672. Transfer of libraries.—A library with its appurtenances may, with the approval of the regents, be transferred to a library under their supervision. A public library can be so transferred only by the authorities by which it was established, and on a like vote, but other libraries may be transferred by the trustees. The library to which such transfer is made shall thereupon be entitled to receive all money, books or other property from the state or other sources to which such library so transferred would have been entitled but for such transfer, and the trustees or other body making the transfer shall thereafter be relieved of all responsibility as to property thus transferred.

§ 673. Grants of public library money.—Library money granted for distribution by the university for the purposes of this article shall be apportioned in accordance with its rules, and no part of such money shall be spent for books, except those approved or selected or furnished by the regents; and the locality shall not share in the grant unless it shall raise and use for the same purpose an equal amount by taxation or otherwise. If any part of the apportionment is not payable directly to the library trustees, the regents shall file with the comptroller vouchers showing that it has been spent in accordance with law exclusively for books for a free library, or for proper expenses incurred for their benefit. Books paid for by the state shall be subject to return to the university whenever the library shall neglect or refuse to conform to the ordinances under which it secured them.

§ 674. Taxes.—Taxes in addition to those otherwise authorized may be voted by any municipality or district, or by the tax levying authority thereof, except in a common school district, to

maintain a public or free library established in such municipality or district, and fixing the maximum amount. Within one year after such vote, and annually thereafter, unless the vote is rescinded or modified, the trustees of every such library shall submit to the tax levying authority a copy of their last report to the regents, with a detailed statement, verified by their presiding officer, of the amount required, after deducting the income from other sources, to maintain the library for the ensuing year, and the amount so required, not exceeding such maximum, shall be levied and collected for the purpose named. Such a vote may be rescinded or modified only at an annual election or district meeting. All sums received from taxation or otherwise for library purposes shall be paid to the treasurer of the library trustees and kept by him as a separate library fund and expended under the direction of such trustees.

§ 675. Aid to free libraries.—The same authorities in the same manner herein provided for establishing and maintaining a public library, may grant aid to a registered free library under supervision of the regents, but such aid for the circulating department shall not exceed ten cents for each volume of circulation of the past year, certified by the regents as of such a character as to merit a grant of public money. Aid may also be granted for the reference department, and to libraries of books for the blind without regard to circulation.

§ 676. Limitations.—No public or free library shall receive any public money from the state or from local sources unless registered by the university.

§ 677. Selecting books.—The regents may on request select or buy books for libraries under their supervision, or may make their grants to libraries in books instead of in money, and may also make loans or exchanges of books through the duplicate department of the state library.

§ 678. Detention.—Whoever wilfully detains any book, newspaper, magazine, pamphlet, manuscript or other property belonging to any chartered library, reading-room, museum or other educational institution, for thirty days after notice in writing to return the same, given after the expiration of the time which, by the rule of such institution, such article or other property may be kept, shall be punished by a fine of not less than one nor more than twenty-five dollars, or by imprisonment not exceeding six months. Such notice shall bear on its face a copy of this section.

§ 679. Injuries to property.—Whoever intentionally injures, defaces or destroys any property belonging to or deposited in any chartered library, reading-room, museum or other educational institution, under this chapter, shall be punished by im-

prisonment in the state prison for not more than three years, or in the county jail for not more than one year, or by a fine of not more than five hundred dollars, or by both such fine and imprisonment.

§ 680. Home education.—The state or other libraries may carry on or affiliate museums or any other feature of the work of home education.

§ 681. State museum.—The state museum consists of:

1. All natural history and other scientific specimens and collections, works of art, objects of historic interest, and similar property appropriate to a general museum, if owned by the state and not placed in other custody by law.

2. Such sections as the regents may establish for history, art, education, geology or other subjects, one of which shall be an Indian section, which shall embrace as complete a collection as practicable of the historical, ethnographic and other records and relics of the Indians of the state of New York, including implements or other articles pertaining to their domestic life, agriculture, the chase, war, religion, burial and other rights or customs or otherwise, connected with the Indians.

3. The research department, including the work of the state geologist and paleontologist, and of the state botanist and state entomologist, and of similar scientific interests of the university.

§ 682. Collections made by the staff.—All scientific specimens collected by a member of the museum staff during his term of office shall, unless otherwise authorized by vote of the regents, belong to the state and form a part of the state museum.

§ 683. Inspection of museum property.—The regents shall provide for the annual inspection of museum property not kept in the state museum rooms, and their annual report on the state museum to the legislature shall include summaries of such property, with its location, and any needed recommendations as to its safety or usefulness.

§ 684. State teachers' library.—The state teachers' library in the department of public instruction is continued. It shall be under the supervision of the superintendent and maintained by him. The library is for the benefit and free use of the teachers of the state, and shall be circulated under such rules as the superintendent may establish.

§ 685. School libraries.—The existing school or district libraries are continued as school libraries. Each such library shall be kept in the school building, when practicable, and shall be for the exclusive use of the school, except that the superintendent, if there is no public library in the district, may by order on the application of the trustee or board of education, set apart any

specified books for the free use of the people of the district. The library shall not be deemed a public library under this article. The superintendent and the school authorities of a district, upon the establishment of a chartered library by such district, or jointly by it and one or more of the municipal bodies specified in this article, may transfer to such chartered library, or to an existing public library, any books not needed for the exclusive use of the school.

§ 686. Superintendent to make rules.—The state superintendent may make, alter or repeal rules for the expenditure of library money, and the administration and care of school libraries.

§ 687. Books for libraries.—Books for a school library can be purchased only on the approval of the superintendent. The superintendent may, upon request, select or buy books or apparatus for a library or school under his supervision, or furnish books and apparatus instead of money apportioned. The school library shall consist of reference books for use in the school room, suitable supplemental and reading books for children, books relating to branches being pursued in the school, and books relating to the science and practice of teaching.

§ 688. School district librarian.—The school authorities in each district which has a school library shall appoint a teacher in the school or other suitable person librarian, who, together with such authorities, shall be responsible for the safety and proper care of the books, and shall annually, and whenever required, make such reports concerning the library as the state superintendent may direct.

§ 689. Compensation of librarian.—In a common school district, a district meeting and elsewhere the school authorities may allow a reasonable compensation to the school librarian.

§ 690. When districts to share in library money.—A district to be entitled to share in an apportionment of library money must raise and use funds for the same purpose, and also comply with the library rules prescribed by the superintendent.

§ 691. Disposition of unapportioned library money.—All school library moneys unappropriated by school commissioners, and remaining in the hands of county treasurers September first, eighteen hundred and ninety-eight, shall within ten days thereafter be paid by them to the state treasurer, and shall be added to the amount of library money appropriated for school libraries during the then current school year, and apportioned in the same manner; and such returned library money is hereby re-appropriated for that purpose.

ARTICLE XXII.

MISCELLANEOUS.

Section 720. School census.

721. Appointment and duties of enumerators.
722. Penalty for refusing information.
723. Expenses, how paid.
724. Town clerk's expenses a town charge.
725. Supervisor's account.
726. Supervisor's report.
727. Compensation of supervisor.
728. General duties of town clerk.
729. Compensation of town clerk.
730. Termination of existing offices.
731. Holding over after expiration of term.
732. When official oath not required.
733. Vaccination of school children and teachers.
734. Admission of nonresident pupils.
735. Arbor day.
736. Holidays.
737. Oaths and affidavits.
738. Acceptance of education law by special school district.
739. Notice and conduct of election.
740. Certificate of election.
741. Effect of adoption of proposition.
742. School authorities in new district.
743. Effect of chapter on special school districts.
744. Continuance of truant and attendance officers.

Section 720. School census.— The superintendent, in the month of June, eighteen hundred and ninety-nine, and quadrennially in the same month thereafter, shall take a school census in each village or city which has a population of ten thousand, as appears by the last federal census or state enumeration. If the boundaries of a village have been changed, or if a city has been incorporated since such census or enumeration, the superintendent may ascertain and determine the population of such a village or city by the best evidence available, and he may, at the expense of the village or city, take an enumeration of the population if deemed necessary. Such census shall show:

1. The names and ages of all persons between four and eighteen years of age.

2. The number of persons between twelve and twenty-one years of age who are unable to read and write.

3. The number of persons between four and eighteen years of age who are not attending school because they are obliged to work within school hours.

4. The number of persons between four and sixteen years of age who are attending other than public schools.

5. The number of blind, deaf or otherwise defective children of school age, stating each class separately.

6. Such other facts as in the judgment of the superintendent may be the means of securing the information needed to carry into effect the requirements of section one of article nine of the constitution, or for the improvement of the common school system.

§ 721. Appointment and duties of enumerators.—The superintendent may appoint persons to take such census and fix their compensation.

He may also determine the work to be done by school officers and by persons appointed under this section, and they shall aid him in all proper ways in the discharge of his duties in relation to such census.

§ 722. Penalty for refusing information.—Any person who refuses or withholds information in his or her possession sought by the superintendent or his representatives for the purpose of such census, or who makes any false statement in relation thereto, is guilty of a misdemeanor, and shall be punished by a fine not exceeding twenty dollars, or by imprisonment not exceeding thirty days.

§ 723. Expenses, how paid.—The expenses incurred in taking such census are a charge upon the village or city in which it is taken, and shall be paid on the certificate of the superintendent. The comptroller, treasurer or chamberlain of a city or village, upon the presentation of such a certificate, shall pay the amount stated therein out of any funds available for the purpose. If he has no such funds he shall immediately borrow the amount on the credit of the city or village, and it shall be included in the next annual tax levy.

§ 724. Town clerk's expenses a town charge.—The necessary expenses and disbursements of a town clerk in the performance of his duties under this chapter are a town charge.

§ 725. Supervisor's account.—The supervisor shall keep in a book to be provided at the expense of the town, a correct account of all the school moneys received and disbursed by him during each year, specifying from whom and for what purpose they were received, and to whom and for what purpose paid out. He shall exhibit such book with proper vouchers to the board of town auditors at its annual meeting, and shall deliver it to his successor.

§ 726. Supervisor's report.—Within fifteen days after the termination of his office the supervisor shall make a written report of the moneys theretofore received and paid out by him, and deliver the same to the town clerk, and notify his successor of the filing thereof.

§ 727. Compensation of supervisor.—A supervisor is entitled to compensation for services under this chapter as follows:

1. For each day's service in the equalization of valuations, three dollars, to be paid by the district.

2. For each day's service in a proceeding for the alteration of a school district, three dollars, to be paid by the town.

§ 728. General duties of town clerk.—Each town clerk shall:

1. Carefully keep all books, maps, papers and records of his office relating to common schools, and forthwith report to the supervisor any loss or injury to the same.

2. Receive from the supervisor the certificate of apportionment of school moneys to the town, and record it in a book to be kept for that purpose.

3. Forthwith notify the trustees of the several school districts of the filing of each such certificate.

4. See that the trustees of the school districts make and deposit with him their annual reports within the time prescribed by law, and deliver them to the school commissioner on demand; and furnish the commissioner the names and post office addresses of the school district officers reported to him by the district clerk.

5. Distribute to the trustees of the school districts all books, blanks and circulars which shall be delivered or forwarded to him by the superintendent or commissioner for that purpose.

6. To record the supervisor's annual report of school moneys and deliver a copy thereof to such supervisor's successor.

7. Receive from the outgoing supervisor, and file and record in the same book, the county treasurer's certificate that his successor's bond has been given and approved.

8. File and record the descriptions of the school districts, and all papers and proceedings delivered to him by the commissioner pursuant to the provisions of this chapter.

9. Receive and preserve the books, papers and records of a dissolved school district, which shall be ordered to be deposited in his office.

10. Perform any other duty which may be devolved upon him by law.

§ 729. Compensation of town clerk.—A town clerk is entitled to compensation to be paid by the town, for services under this chapter as follows:

1. For each day's service in the alteration of a school district, two dollars.

2. For filing a collector's bond, twenty-five cents.

3. For certified copies of papers filed by him, six cents for each folio.

§ 730. Termination of existing offices.—The terms of all common school district officers in office when this chapter takes effect shall expire on the thirtieth day of June next thereafter.

§ 731. Holding over after expiration of term.—Every school officer shall hold his office until his successor shall be elected or appointed.

§ 732. When official oath not required.—A school district officer shall not be required to take an oath of office.

§ 733. Vaccination of school children and teachers.—The school authorities of a district shall not permit a person who has not been vaccinated to attend or teach in a public school therein. Such authorities shall appoint a competent physician and fix his compensation, who shall provide himself with good reliable vaccine virus, and shall, upon request, at the expense of the district, vaccinate all children who have not been vaccinated. Such physician shall when requested give to every child vaccinated by him a certificate which shall be sufficient evidence of vaccination. The school authorities may permit other evidence of vaccination.

§ 734. Admission of nonresident pupils.—A trustee may admit to the school a qualified nonresident pupil upon such terms as he shall prescribe, but if such pupil or either of his parents or his guardian owns property in the district liable to tax for school purposes, the amount of any school tax thereon paid during the current school year shall be deducted from the charge for tuition.

§ 735. Arbor day.—The Friday following the first day of May in each year shall be known as Arbor day. The school authorities in each city and the trustee or board of education in each school district shall provide for a meeting on that day of the scholars under their charge, and for such exercises as shall tend to encourage the planting, protection and preservation of trees and shrubs, and acquaintance with the best methods to be adopted to accomplish such results. The superintendent may prescribe a course of exercises and instructions in such subjects which shall be adopted and observed on Arbor day. He shall distribute a sufficient number of copies of such course to each superintendent of schools and to each school commissioner to supply the several schools under their charge.

§ 736. Holidays.—The term holiday includes the following days in each year: The first day of January, known as New Year's day; the twelfth day of February, known as Lincoln's birthday; the twenty-second day of February, known as Wash-

ington's birthday; the thirtieth day of May, known as Memorial day; the fourth day of July, known as Independence day; the first Monday of September, known as Labor day; and the twenty-fifth day of December, known as Christmas day, and if either of such days is Sunday, the next day thereafter; each general election day and each day appointed by the president of the United States or by the governor of this state as a day of general thanksgiving, general fasting and prayer, or other general religious observance.

§ 737. Oaths and affidavits.—The superintendent of public instruction or either of his deputies, a school commissioner, a trustee or a member of a board of education; a clerk of such board, or of a school district, and the town clerk, may administer oaths and take affidavits in any matter relating to the schools, but shall not receive any fee therefor.

§ 738. Acceptance of education law by special school district.—A school district incorporated by special law and subject to its provisions may accept this chapter and become subject to its provisions by adopting a proposition therefor. Such a proposition may be submitted at an annual district meeting, or at a special meeting to be called for that purpose. The school authorities of such a district may upon their own motion and shall upon the petition of twenty-five qualified voters cause such a proposition to be submitted at a district meeting. The ballots to be used at such an election may be written or printed, and shall contain either the words "For the acceptance of the education law by school district (naming it)" or "Against the acceptance of the education law by school district (naming it)."

Such a proposition shall not be submitted at a meeting either annual or special during the months of May or June.

§ 739. Notice and conduct of election.—If a petition for the submission of such a proposition is presented to the school authorities not more than sixty nor less than thirty days before an annual meeting, the proposition shall be submitted thereat. If the petition is presented at any other time the school authorities, within ten days after such presentation shall give notice of a special meeting for the consideration of the proposition. Notice of an annual or special meeting for the submission of such a proposition shall be given by posting notices in five public places in the district and publishing the same in each newspaper actually printed therein, if any, at least twenty days before the meeting, and a special meeting shall be held within thirty days after posting the notice thereof. If the school authorities neglect or refuse to give the notice herein required any person who signs the petition may give such notice in the same manner and with like effect

as if given by the school authorities. Such a special meeting shall be held by the same officers and conducted and the result canvassed in the same manner, as provided by law for an annual meeting in such district, if any, otherwise as at a special meeting under this chapter. The qualifications of voters upon such a proposition shall be determined by the special law to which the district is then subject; but if such special law does not define the qualifications of voters at a school meeting, the qualifications of voters upon such a proposition shall be determined by this chapter. The provisions of this chapter relating to the appointment of inspectors of election at a district meeting apply to an election held under this section.

§ 740. Certificate of election.—The officers conducting such meeting shall make a certificate showing the whole number of votes cast upon such proposition and the number in favor of and against it, and within three days after such meeting is held must file such certificate in the office of the clerk of the district or clerk or secretary of the board of education or other officer performing similar functions. If the proposition be adopted the clerk with whom the certificate is filed shall within ten days after the meeting file a certified copy of such certificate in the office of the clerk of each town in which any part of the district is situated, and shall also deliver a certified copy to the school commissioner.

§ 741. Effect of adoption of proposition.—If the proposition be adopted, the acceptance of this chapter by such district shall take effect immediately upon the filing of the certificate in the office of the district clerk. From and after such filing the district shall be deemed organized under this chapter, and subject to all its provisions, and shall possess all the powers, enjoy all the privileges and be subject to all the liabilities in all respects and for all purposes, as if it had been originally formed thereunder. The adoption of such a proposition shall not affect any action then pending or cause of action existing by or against such district, nor property rights under any law to which it shall then be subject. The officers of the district in office when the acceptance takes effect shall continue to hold their offices until the thirtieth day of June next following, at which time their terms of office shall expire.

§ 742. School authorities in new district.—If the district adopting the proposition has a board of education it shall continue to have such board after the acceptance of this chapter, and the district shall be deemed a union school district under this chapter. The first annual district meeting held after the adoption of such a proposition shall determine the number of members of the board of education, and elect and classify them in the man-

ner provided by this chapter upon the organization of a union school district.

If the district has not a board of education, such first annual district meeting may determine that the district shall become and be a union school district under this chapter, and elect and classify a board of education accordingly. In any other case such a district so accepting this chapter shall be a common school district.

§ 743. Effect of chapter on special school districts.—A school district incorporated under and subject to a special law, and each officer thereof, possesses all the powers and is subject to all the limitations, liabilities and responsibilities conferred or imposed upon a district incorporated, formed or organized under this chapter, or upon an officer thereof, not inconsistent with such special law.

§ 744. Continuance of truant and attendance officers.—All truant and attendance officers in office when this chapter takes effect are continued until new appointments are authorized to be made under this chapter, and during the period of such continuance shall possess the powers and be subject to the liabilities and responsibilities herein prescribed. A vacancy in an office so continued shall be filled for the remainder of such period by the commissioner or the local superintendent of schools.

ARTICLE XXIII.

EFFECT OF CHAPTER; LAWS REPEALED.

Section 750. Saving clause.

751. Construction.

752. Laws repealed.

753. Time of taking effect.

Section 750. Saving clause.—The repeal of a law or any part of it specified in the annexed schedule shall not affect or impair any act done or right accruing, accrued or acquired or liability, forfeiture or penalty incurred prior to May first, eighteen hundred and ninety-eight, under or by virtue of any law so repealed, but the same may be asserted, enforced, prosecuted or inflicted as fully and to the same extent as if such law had not been repealed; and all acts and proceedings, civil or criminal, commenced under or by virtue of the laws so repealed and pending on May first, eighteen hundred and ninety-eight, may be prosecuted and defended to final effect in the same manner as they might under the laws then existing, unless it shall be otherwise specially provided by law.

§ 751. Construction.—The provisions of this chapter, so far as they are substantially the same as those of laws existing on May first, eighteen hundred and ninety-eight, shall be construed as a continuation of such laws, modified or amended according to the language employed in this chapter, and not as new enactments; a reference in laws not repealed to provisions of laws incorporated into this chapter and repealed shall be construed as applying to the provisions so incorporated; and nothing in this chapter shall be construed to amend or repeal any provision of the criminal or penal code.

§ 752. Laws repealed.—The following acts and parts of acts are hereby repealed:

1. The laws or parts thereof specified in the schedule hereto annexed, and all acts amendatory thereof or supplemental thereto in force when this chapter takes effect, including all such amendatory or supplemental acts passed in eighteen hundred and ninety-eight.

2. All acts or parts of acts inconsistent with the provisions of this chapter.

§ 753. Time of taking effect.—This chapter shall take effect on the first day of May, eighteen hundred and ninety-eight.

SCHEDULE OF LAWS REPEALED.

Revised statutes.	Sections.	Subject matter.
Pt. 1, ch. 15, tit. IV..	All.	Gospel and school lots.
Laws of	Section.	Subject matter.
1789, ch. 32, par. 2..		Land for support of gospel and schools.
1798, ch. 48..	All.	Gospel and school lots in Onondaga Co.
1807, ch. 135..	All.	Leasing of gospel and school lots.
1808, ch. 218..	All.	Gospel and school lots.
1819, ch. 239..	All.	Gospel and school lots.
1826, ch. 30..	All.	Gospel and school lots.
1832, ch. 223..	All.	Overseers of poor to furnish list of deaf and dumb.
1834, ch. 140..	All.	Distribution of money by regents.
1834, ch. 241..	All.	Distribution of money by regents.
1834, ch. 316..	All.	Reception of pupils.
1836, ch. 226..	3...	Reception of pupils.
1838, ch. 244..	All.	Clothing for deaf and dumb pupils.
1839, ch. 200..	All.	Instruction of blind.
1840, ch. 366..	All.	Honorary degree of M. D. By regents.
1841, ch. 261..	All.	Devises and trusts under 1840, ch. 318.
1844, ch. 311..	All.	Albany Normal School.
1846, ch. 74..	All.	Accumulation of income from certain trusts.

Laws of	Section.	Subject matter.
1847, ch. 485..	All.	Education in orphan asylums.
1848, ch. 318..	All.	General act appropriating money for normal schools.
1849, ch. 300..	All.	Library for Court of Appeals.
1850, ch. 89..	All.	Support of Indian pupils at normal schools.
1852, ch. 333..	2, 3.	Appointment of pupils in New York institution for the blind.
1853, ch. 402..	All.	Moneys to academies.
1854, ch. 272..	All.	N. Y. Inst. for Instruction of Deaf Mutes.
1855, ch. 410..	All.	Amends L. 1853, ch. 402.
1855, ch. 432..	All.	Trusts; accumulation of income in certain cases.
1859, ch. 230..	All.	Binghamton law library.
1860, ch. 402..	All.	Books, how supplied to Binghamton law library.
1860, ch. 456..	All.	Boundaries of school districts.
1862, ch. 351..	All.	Amends L. 1839, ch. 200.
1863, ch. 325..	All.	Indigent deaf-mutes, where sent.
1863, ch. 401..	All.	Buffalo law library.
1863, ch. 418..	All.	Oswego normal school.
1863, ch. 463..	All.	Brooklyn law library.
1863, ch. 511..	All.	Act establishing people's college.
1864, ch. 386..	All.	Amends L. 1838, ch. 244.
1864, ch. 556..	All.	Amends L. 1853, ch. 402.
1865, ch. 445..	All.	Amends L. 1863, ch. 418.
1865, ch. 585..	All.	Act incorporating Cornell university.
1865, ch. 587..	All.	Batavia school for the blind.
1865, ch. 722..	All.	Law library in the city of New York.
1866, ch. 466..	All.	General act relating to normal schools.
1866, ch. 481..	All.	Land script donated to this state by the United States.
1866, ch. 882..	All.	Schenectady law library.
1867, ch. 6..	All.	Potsdam normal school.
1867, ch. 21..	All.	Brockport normal school.
1867, ch. 96..	All.	Brockport normal school.
1867, ch. 170..	All.	Oswego normal school.
1867, ch. 174..	All.	Refunding sum paid to Genesee college.
1867, ch. 195..	All.	Genesee normal school.
1867, ch. 199..	All.	Cortland normal school.
1867, ch. 223..	All.	Fredonia normal school.
1867, ch. 571..	All.	Brockport normal school.
1867, ch. 583..	All.	Buffalo normal school.
1867, ch. 744..	All.	Batavia school for the blind.

Laws of	Section.	Subject matter.
1868, ch. 68..	All.	Potsdam normal school.
1868, ch. 174..	All.	Cortland normal school.
1868, ch. 198..	All.	Cortland normal school.
1868, ch. 390..	All.	Oswego normal school.
1868, ch. 554..	All.	Cornell endowment fund.
1868, ch. 601..	All.	Geneseo normal school.
1868, ch. 611..	All.	Amends L. 1865, ch. 722.
1869, ch. 1..	All.	Oswego normal school.
1869, ch. 18..	All.	Amends L. 1866, ch. 466.
1870, ch. 166..	All.	New York institution for the blind.
1870, ch. 180..	1..	Amends L. 1863, ch. 325.
1870, ch. 180..	2, 3.	Extends act of 1863, ch. 325.
1870, ch. 286..	All.	Geneseo normal school.
1870, ch. 563..	All.	Fredonia normal school.
1871, ch. 113..	All.	Cortland normal school.
1871, ch. 166..	All.	Amends L. 1870, ch. 166.
1871, ch. 294..	All.	Geneseo normal school.
1871, ch. 548..	All.	Amends L. 1863, ch. 325.
1871, ch. 747..	All.	Amends L. 1863, ch. 401.
1872, ch. 392..	All.	Binghamton law library, salary of librarian.
1872, ch. 616..	All.	Amends L. 1867, ch. 744.
1872, ch. 654..	All.	Amends L. 1865, ch. 585.
1873, ch. 155..	All.	Cortland normal school.
1873, ch. 463..	All.	Amends L. 1867, ch. 744.
1873, ch. 642..	All.	Distribution of money by regents.
1874, ch. 253..	1..	Application for admission to institutions for deaf-mutes.
1875, ch. 213..	All.	Amends L. 1863, ch. 325.
1876, ch. 222..	All.	Geneseo normal school.
1876, ch. 318..	All.	Kingston law library.
1876, ch. 331..	All.	Instruction for deaf-mutes.
1877, ch. 94..	All.	Utica law library.
1877, ch. 425..	All.	Instruction of teachers.
1880, ch. 171..	All.	Brockport normal school.
1880, ch. 317..	All.	Custody of Cornell endowment fund.
1880, ch. 348..	All.	Custody of property of normal schools.
1880, ch. 400..	All.	General appropriation act for law libraries.
1881, ch. 234..	All.	Amends L. 1880, ch. 400.
1881, ch. 377..	All.	State entomologist.
1881, ch. 675..	All.	Payment of school taxes by R. R. Co.
1882, ch. 51..	All.	Delhi law library.

Laws of	Section.	Subject matter.
1882, ch. 116..	All.	Insurance of normal schools.
1882, ch. 147..	All.	Amends L. 1865, ch. 585.
1882, ch. 217..	All.	Fredonia normal school.
1882, ch. 318..	All.	Teachers' training classes.
1882, ch. 319..	All.	Amends L. 1881, ch. 675.
1882, ch. 367..	All.	No new college without approval of regents.
1882, ch. 410..	1095	
	1096	
	1097	New York city law library.
1883, ch. 270..	All.	Books for judges in sixth judicial district.
1883, ch. 275..	All.	Amends L. 1880, ch. 400.
1884, ch. 275..	All.	Institution for deaf-mutes at Malone.
1885, ch. 58..	All.	Amends L. 1854, ch. 272.
1885, ch. 287..	All.	New Paltz normal school.
1885, ch. 506..	All.	Queens county, act to establish normal school in.
1885, ch. 533..	All.	Amends L. 1881, ch. 675.
1886, ch. 428..	All.	Free instruction in natural history.
1886, ch. 614..	All.	Amends L. 1865, ch. 585.
1887, ch. 14..	All.	Amends L. 1877, ch. 94.
1887, ch. 291..	All.	Amends L. 1865, ch. 585.
1887, ch. 374..	All.	Oneonta normal school.
1887, ch. 709..	All.	Distribution of moneys to academies by regents.
1888, ch. 337..	All.	Free instruction in natural history.
1888, ch. 444..	All.	Amends L. 1880, ch. 400.
1889, ch. 137..	All.	Management and supervision of teachers' training classes.
1889, ch. 142..	All.	Amends L. 1866, ch. 466.
1889, ch. 517..	All.	Plattsburgh normal school.
1890, ch. 197..	All.	Amends L. 1854, ch. 272.
1891, ch. 56..	All.	Cornell university.
1891, ch. 303..	All.	Extension by regents of educational facilities.
1891, ch. 329..	All.	Amends L. 1872, ch. 392.
1891, ch. 377..	All.	Transfer of Albany medical college library to state library.
1892, ch. 36..	All.	Amends L. 1863, ch. 325.
1892, ch. 378..	All.	University law.
1892, ch. 573..	9-12.	Library moneys.
1892, ch. 685..	24..	Libraries.
1893, ch. 6..	All.	American museum of natural history.
1893, ch. 58..	All.	Binghamton law library.

Laws of	Section.	Subject matter.
1893, ch. 63..	All.	Newburgh law library.
1893, ch. 338..	86..	State weather bureau.
1893, ch. 488..	All.	Amends University Law, § 22.
1893, ch. 553..	All.	Jamaica normal school.
1893, ch. 661..	200.	
	201.	Vaccination of children.
1894, ch. 31..	All.	Oneonta normal school.
1894, ch. 153..	All.	Act establishing state veterinary college.
1894, ch. 443..	All.	Amends L. 1882, ch. 116.
1894, ch. 488..	All.	Deposit of insurance moneys.
1894, ch. 556..	All.	Consolidated school law.
1894, ch. 671..	All.	Compulsory education law.
1895, ch. 87..	All.	Amends L. 1865, ch. 585.
1895, ch. 111..	All.	Geneseo normal school.
1895, ch. 218..	All.	Distribution of public documents.
1895, ch. 222..	All.	Flags on school buildings.
1895, ch. 223..	All.	Amends Con. school law, tit. VI, §§ 1, 4.
1895, ch. 231..	All.	Elmira law library.
1895, ch. 232..	All.	Sale of gospel and school lots.
1895, ch. 273..	All.	Amends Con. school law, tit. VIII, § 10.
1895, ch. 274..	All.	Amends Con. school law, tit. VII, § 18.
1895, ch. 337..	All.	Amends Con. school law, tit. VIII, § 8.
1895, ch. 341..	All.	Additional distribution of money to academies.
1895, ch. 362..	All.	Free instruction in natural history.
1895, ch. 546..	All.	Amends L. 1892, ch. 573, § 9.
1895, ch. 550..	All.	School census.
1895, ch. 553..	10..	Appellate division library, first department.
1895, ch. 563..	All.	Changing the name of Batavia school for the blind.
1895, ch. 577..	All.	Amends University law, § 9.
1895, ch. 598..	All.	Appropriation for state veterinary college.
1895, ch. 767..	All.	Pensions to teachers.
1895, ch. 768..	All.	Chief clerk in department of public instruction.
1895, ch. 769..	All.	Amends Con. school law, tit. VII, §§ 74, 76.
1895, ch. 840..	All.	Plattsburgh normal school.
1895, ch. 853..	All.	Amends Con. school law, tit. VIII, § 14.
1895, ch. 859..	All.	Amends Univ. law, §§ 19, 27, 33, 36, 42, 51.
1895, ch. 988..	All.	Amends Con. school law, tit. XVI, § 10.

Laws of	Section.	Subject matter.
1895, ch. 1031..	All.	Teachers' training classes in cities.
1895, ch. 1041..	All.	Amends Con. school law, tit. XV, §§ 19, 20.
1896, ch. 71..	All.	Amends L. 1880, ch. 400.
1896, ch. 156..	All.	Amends Con. school law, tit. X, by adding § 9.
1896, ch. 165..	All.	Normal schools authorized to accept gifts.
1896, ch. 177..	All.	Amends Con. school law, tit. III, § 4.
1896, ch. 196..	All.	Amends Con. school law, tit. VIII, § 14.
1896, ch. 238..	All.	Amends L. 1865, ch. 585.
1896, ch. 264..	All.	Amends Con. school law, tit. II, §§ 6, 13. tit. V, §§ 4, 9; tit. VII, §§ 14, 38, 47; tit. VIII, §§ 1, 3, 4, 5, 7, 8, 10, 15; tit. X, § 6; tit. XV, §§ 14, 15, 17.
1896, ch. 434..	All.	Appellate division library, third department.
1896, ch. 467..	All.	Transfer by regents of immigration records.
1896, ch. 493..	1...	Amends University law, § 22.
1896, ch. 575..	All.	Amends Con. school law, tit. VII, § 81.
1896, ch. 576..	All.	Amends L. 1892, ch. 685, § 24.
1896, ch. 586..	All.	Sec. for Indian relics in state museum.
1896, ch. 606..	All.	Amends Con. school law, tit. XV, §§ 3, 4, 7, 8, 9, 11.
1896, ch. 901..	All.	Amends Con. school law, tit. XV, §§ 19, 20.
1897, ch. 81..	All.	Appellate division library in first department.
1897, ch. 128..	All.	Appropriation for investigations in agriculture at Cornell.
1897, ch. 185..	All.	Appellate division library, second department.
1897, ch. 195..	All.	Amends Con. school law, tit. VIII, § 13.
1897, ch. 224..	All.	Amends L. 1866, ch. 466.
1897, ch. 283..	All.	Albany home school for deaf and dumb.
1897, ch. 293..	All.	Amends Con. school law, tit. XV, § 51 and adds §§ 52-54.
1897, ch. 294..	All.	Amends Con. school law, tit. XV, §§ 14, 15.
1897, ch. 394..	All.	Appellate division library, third department.
1897, ch. 466..	All.	Amends Con. school law, tit. VIII, §§ 7, 14.
1897, ch. 482..	All.	Amends L. 1859, ch. 230.

Laws of	Section.	Subject matter.
1897, ch. 495..	All.	Amends L. 1895, ch. 1031, § 1.
1897, ch. 512..	All.	Amends Con. school law, tit. V, § 13; tit. VI, § 6; tit. VI, § 14. Added tit. VII, § 74; tit. X, § 4.
1897, ch. 689..	All.	State veterinary college.

Which report was agreed to and said bill ordered reprinted, as amended, and made a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 1140) entitled "An act to provide for the construction of a movable bridge, over Black Rock harbor at Ferry street, in the city of Buffalo, and making an appropriation therefor." (Rec. No. 946), reported in favor of the passage of the same with the following amendment, and that the same be reprinted as amended, and when reprinted made a special order on second and third reading.

Page 2, line 12, strike out the word "unincorporated" and insert instead thereof the word "incorporated."

Which report was agreed to and said bill ordered reprinted, as amended, and made a special order on second and third reading.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on third reading immediately.

Senate, "An act to authorize the Rensselaer Polytechnic Institute to regulate and prescribe terms of admission to its courses of study and to grant degrees and certificates." (No. 1048, Rec. No. 349.)

Senate, "An act to authorize the board of trustees of the village of Mohawk, in the county of Herkimer, to issue bonds in payment of the existing indebtedness of said village." (No. 899, Rec. No. 345.)

"An act to reappropriate money for expenses, repairs and betterments of the State armory at Newburgh, New York, as provided for by chapter 949 of the Laws of 1896." (No. 1619, Int. No. 1285.)

“An act to authorize the city of Syracuse to levy a tax to provide for the means to defray the cost of the completion of a building for fire purposes, in the Fifteenth ward of the city of Syracuse, and for equipping the same.” (No. 1692, Int. No. 1268.)

“An act to incorporate the Rome Water Power Company of Rome, Oneida county, New York.” (No. 1407, Int. No. 1143.)

“An act in relation to the village of Chatham, in Columbia county.” (No. 1791, Int. No. 1323.)

“An act to authorize the city of Albany to open Montgomery street in said city between Steuben street and Maiden lane.” (No. 1794, Int. No. 1216.)

“An act to amend the Public Health Law, and the act amendatory thereof, in relation to the practice of dentistry.” (No. 1784, Int. No. 1129.)

“An act to amend the Highway Law, in relation to assessment for highway labor.” (No. 1698, Int. No. 1284.)

“An act to amend the Fisheries, Game and Forest Law, relative to clam beds.” (No. 1670, Int. No. 1238.)

“An act to amend section 3 of chapter 116 of the Laws of 1897, entitled ‘An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office.’ ” (No. 1783, Int. No. 471.)

“An act to amend section 20 of chapter 570 of the Laws of 1895, entitled ‘An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State racing commission,’ relating to collection of tax.” (No. 1728, Int. No. 1003.)

“An act in relation to the militia, constituting chapter 16 of the general laws.” (No. 1787, Int. No. 953.)

“An act to amend chapter 84 of the Laws of 1886, entitled ‘An act to incorporate the city of Jamestown,’ and the several acts amendatory thereof.” (No. 1829, Int. 1301.)

Senate, “An act to amend the Game Law, and the acts amendatory thereof, relating to the hunting and killing of deer in the counties of Ulster, Greene, Delaware and Sullivan.” (No. 363, Rec. No. 97.)

Senate, "An act for the relief of the Evangelical Lutheran Church of the Atonement, of The City of New York, a religious corporation." (No. 589, Rec. No. 222.)

Senate, "An act to amend the Consolidated School Law, and the acts amendatory thereof, relative to library books." No. 1055, Rec. No. 334.)

Senate, "An act to amend the Code of Civil Procedure, section 191, relative to appeals to the Court of Appeals." (No. 880, Rec. No. 244.)

Senate, "An act to amend chapter 119, Laws of 1869, entitled 'An act to incorporate the American Museum of Natural History,' relative to its charter." (No. 761, Rec. No. 208.)

Senate, "An act to legalize the acts of former justices of the district courts in The City of New York, and provide for the payment of compensation for their services, relative to municipal courts of New York city." (No. 667, Rec. No. 209.)

Senate, "An act to amend the Fisheries, Game and Forest Law, relating to hounds and other dogs running at large in the forests of this State where deer inhabit." (No. 478, Rec. No. 292.)

Senate, "An act to amend chapter 568 of the Laws of 1895, entitled 'An act to incorporate the city of Johnstown.'" (No. 1013, Rec. No. 341.)

Senate, "An act to authorize and empower the corporation called 'Round Island Company' to appoint one or more special policemen." (No. 745, Rec. No. 266.)

Senate, "An act to authorize the board of estimate and apportionment of The City of New York to audit, and the comptroller of the said city to pay, the expenses of Lewis M. Hornthal, Richard Kelly, Joseph Fettretch and Jeremiah Fitzpatrick, incurred for legal services and other expenses in actions brought against them individually and as trustees of the common schools for the Nineteenth ward of The City of New York by Louise M. Galligan." (No. 307, Rec. No. 155.)

Senate, "An act to amend chapter 112 of the Laws of 1896,

entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same; and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897." (No. 1027, Rec. No. 336.)

Senate, "An act to amend chapter 488 of the Laws of 1892, known as the Fisheries, Game and Forest Law, section 111, and by adding thereto section 158, relating to suckers, eels and bull-heads." (No. 911, Rec. No. 245.)

Senate, "An act to amend chapter 91 of the Laws of 1892, entitled 'An act to amend chapter 498 of the Laws of 1872, entitled An act for the protection of livery stable keepers and other persons keeping horses at livery and pasture, as amended by chapter 145 of the Laws of 1880,' so as to create a lien upon harness, trucks and other vehicles." (No. 669, Rec. No. 301.)

Senate, "An act to amend the Fisheries, Game and Forest Law, relating to close season for hares and rabbits." (No. 671, Rec. No. 185.)

Senate, "An act to amend chapter 220 of the Laws of 1866, being the charter of the village of Saratoga Springs, and to enable the trustees of said village to raise moneys for certain purposes." (No. 812, Rec. No. 276.)

Senate, "An act to provide for the display of the United States flag on the schoolhouses of the State, in connection with the public schools; and to encourage patriotic exercises in such schools." (No. 651, Rec. No. 246.)

Senate, "An act to amend the Railroad Law, and the acts amendatory thereof, relative to the location of tools in cars." (No. 566, Rec. No. 123.)

Senate, "An act to further amend chapter 753 of the Laws of 1857, entitled 'An act to incorporate the International Bridge Company,' and chapter 550 of the Laws of 1869, being an act to amend the same and to authorize the consolidation of said company with any bridge company incorporated by the laws of

Canada, and conferring certain additional powers upon such consolidated company." (No. 392, Rec. No. 190.)

Senate, "An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburgh.'" (No. 948, Rec. No. 312.)

Senate, "An act to amend the Insurance Law, in relation to town and county co-operative insurance corporations." (No. 946, Rec. No. 311.)

Senate, "An act to amend the Code of Civil Procedure, relative to actions to recover real property." (No. 93, Rec. No. 252.)

Senate, "An act to incorporate the Union Free School District No. 3, town of Orangetown, county of Rockland." (No. 1001, Rec. No. 331.)

Senate, "An act to amend chapter 727 of the Laws of 1869, entitled 'An act authorizing cities and villages to acquire title to property for burial purposes and to levy taxes for the payment of the same,' as amended by chapter 760 of the Laws of 1870, in relation to the rights of lot holders." (No. 613, Rec. No. 150.)

Senate, "An act conferring local rank upon the commandant of the New York Soldiers and Sailors' Home of Bath, New York." (No. 718, Rec. No. 214.)

Senate, "An act to exempt the real estate of The Young Men's Hebrew Association from taxation, assessments and water rates." (No. 476, Rec. No. 169.)

Senate, "An act to amend subdivision 206p of section 1 of chapter 180 of the Laws of 1895, entitled 'An act to amend title 8 of chapter 182 of the Laws of 1892, entitled An act to incorporate the city of Mount Vernon,' so far as it relates to the police department of said city.'" (No. 571, Rec. No. 225.)

Senate, "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police department for the city of Yonkers,' and the acts amendatory thereof." (No. 570, Rec. No. 235.)

Senate, "An act to provide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens thereon in the county of Westchester." (No. 863, Rec. No. 264.)

Senate, "An act to locate and establish the boundaries of Union Free School District No. 7 in the town of Cortlandt." (No. 1069, Rec. No. 325.)

"An act to amend the Greater New York Charter, relating to the distribution of moneys collected on account of taxation of the fire insurance companies in The City of New York." (No. 1840, Int. No. 527.)

"An act to amend section 20 of chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State racing commission,' relating to collection of tax." (No. 1835, Int. No. 1003.)

"An act to change the name of the 'Brooklyn Throat Hospital.'" (No. 1851, Int. No. 522.)

"An act in relation to printing in penal institutions in the state." (No. 1834, Int. No. 357.)

"An act to authorize and require the town of Cortlandt, in the county of Westchester, to pay to the village of Croton, on the Hudson, the highway tax to be collected from property within the corporate limits of said village." (No. 1844, Int. No. 1357.)

"An act to legalize the official acts of Paul D. Ives, Leroy Buckley and Albert J. Lawrence as justices of the peace of the town of Easton, in Washington county, New York, and to authorize them to file proper official bonds of such justices." (No. 1843, Int. No. 1356.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately.

The Senate sent for concurrence the following entitled bills:

"An act to amend the labor law, relating to the designation of deputy factory inspectors for the enforcement of provisions of such law concerning the employment of labor on public works,"

(No. 827, Rec. No. 351), which was read the first time and referred to the committee on labor and industry.

"An act making an appropriation for Thomas Asylum for Orphan and Destitute Indian Children," (No. 990, Rec. No. 353), which was read the first time and referred to the committee on ways and means.

"An act to release the interest of the State of New York in certain real estate in the city of New York to Robert L. T. Irvin, Mary I. Smith and Ethel Irvin" (No. 1000, Rec. No. 354), which was read the first time and referred to the committee on ways and means.

"An act making an appropriation for repairing and completing the State armory at Auburn, and appointing a commission therefor" (No. 498, Rec. No. 363), which was read the first time and referred to the committee on ways and means.

Mr. Nixon presented the report of the committee of conference on the bill (No. 296, Senate reprint, No. 778), entitled "An act making appropriations for the support of government" (Int. No. 290), in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two houses upon the Assembly bill (No. 296, Senate reprint No. 778) entitled "An act making appropriations for the support of government" (Rec. No. 60), report that they have duly conferred upon said matters, and agreed to recommend as follows:

The committee recommend that the following amendments be concurred in:

Page 5, line 12, after the word "to" insert the words "resident trial."

Page 12, line 4, after the word "salary" strike out the word "five" and insert the word "seven."

Same page, line 10, after the word "dollars" insert the following:

"For rent of branch office city of New York the sum of eight hundred dollars."

Page 15, line 6, after the word "department" strike out the word "eleven" and insert the word "ten."

Same page, line 18, strike out the word "seventy-five" and insert the word "fifty."

Page 23, line 15, after the word "same" insert the following: "All appropriations made for the National Guard shall be expended according to the provisions of the military code."

Same page, line 21, after the word "examinations" strike out the words "eight thousand five hundred" and insert the words "ten thousand."

Page 26, line 6, after the word "hundred" insert the words "and fifteen."

Page 27, line 1, strike out the word "eighty" and insert the word "ninety."

Same page, line 3, after the word "Fordham" strike out the word "forty-five" and insert the word "forty-nine," and after the word "thousand" insert the words "four hundred."

Same page, line 15, after the word "last" strike out the word "seven" and insert the word "eight."

Page 31, line 17, strike out the word "nine" and insert in place thereof the word "fifteen," also after the word "and" insert the word "ninety-seven," after the word "and" strike out the following lines: 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26.

Page 32, strike out all in lines, 1, 2, 3, 4, 5 and in line 6 to and including the word "six."

Page 33, line 13, after the word "excise" strike out the words "one hundred and seventy-five" and insert in place thereof the words "two hundred and fifty."

The committee recommend that the Senate recede from the following amendments:

Page 9, line 10, after the word "salary" strike out the word "four" and insert the word "two," and after the word "thousand" insert the words "four hundred."

Page 15, line 4, after the word "statistics" strike out the word "fifteen" and insert the word "ten."

Page 24, strike out lines 11 and 12.

Same page, line 16, after the word "office" strike out the word "twenty" and insert the word "fifteen."

Page 25, line 14, after the word "therefore" strike out the word "fifteen" and insert the word "ten."

Page 28, line 11, after the word "repairs" strike out the word "sixty" and insert the word "fifty."

Same page, line 18, after the word "and" strike out the word "sixty-five" and insert the word "fifty."

Same page, line 26, after the word "and" strike out the word "ninety" and insert the word "eighty."

Page 29, line 4, after the word "repairs" strike out the word "eighty" and insert the word "seventy-five."

Same page, line 14, after the word "asylum" strike out the word "sixty-two" and insert the word "fifty-five."

Same page, line 22, after the word "convicts" strike out the word "thirty-three" and insert in place thereof the word "thirty."

Same page, line 26, after the word "repairs" strike out the word "fifteen" and insert in place thereof the word "ten."

Page 30, line 6, after the word "hire" strike out the word "ten" and insert in place thereof the word "seven."

Same page, line 7, after the word "thousand" insert the words "five hundred."

Page 32, line 6, strike out the word "eighty" and insert in place thereof the word "sixty."

Same page, line 14, strike out the word "twenty-five" after the word "expenses" and insert the word "twenty."

Page 33, strike out all in lines 24 and 25.

Page 34, line 26, after the word "ninety-one" strike out the word "forty-five" and insert the word "twenty-five."

Page 35, strike out all in lines 17, 18 and 19.

The committee also recommend the adoption of the following amendments as further amended by the committee of conference :

Page 3, line 6, strike out the word "eight" and insert "twelve."

Page 9, strike out lines 13 and 14.

Page 13, line 15, after the word "insurance" strike out the word "sixty-eight" and insert the word "eighty."

Same page, line 23, strike out the word "five" and insert the word "fifteen."

Page 14, line 14, after the word "thousand" strike out the word "five" and insert the word "seven," and after the word "hundred" insert the words "and eighty."

Page 35, end of line 19, insert the following: "The sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated from the canal fund to pay for the services and disbursement incurred by the agent employed by the superintendent of public works on request of the attorney-general, as provided in section two hundred and seventy of the code of civil procedure, in defense of claims against the state, on account of canals; such sum to be advanced to said agent by the comptroller, upon his filing with the comptroller a good and sufficient bond in the sum of ten thousand dollars for the same. But no account for such services, disbursements and expenses shall be paid until the same has been presented to and approved by the canal board."

Page 24, line 2, strike out the word "six" and insert the word "twelve."

Same page, line 6, strike out the word "two" and insert the word "three;" also strike out the words "three hundred."

Page 33, strike out lines 24 and 25.

FRANK W. HIGGINS,

GEO. R. MALBY,

CHAS. L. GUY,

Senate Committee.

G. A. MATTESON,

T. A. SEARS,

S. T. NIXON,

THOS. F. DONNELLY,

GEO. M. PALMER.

Assembly Committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and restored to its place on the order of third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1048), entitled "An act to authorize the Rensselaer Polytechnic Institute to regulate and prescribe terms of admission to its courses of study and to grant degrees and certificates. (Rec. No. 340.)

On motion of Mr. Russell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Haight	Miles	Seligsberg
Addis	DeGraw	Hanna	Miller	Simmons
Adler	Delaney	Harburger	Mitchell	Sinsheimer
Allds	Dillon	Johnson	Mohring	Sloan
Armstrong	Donnelly	Kavanaugh	Mullany	Smith E LaG
Axtell	Dutton	Kelly	Murphy	Stedman
Baker	Egan	Kelsey	Murray	Stoneman
Boland	Eldridge	Kullman	Myers J C	Streifler
Bondy	Ellis	Laimbeer	Nixon	Sullivan
Brennan E C	Evarts	Litchard	O'Connor	Taylor
Brennen J F	Farrell	Lowenthal	Oliver	Ten Eyck
Brewster	Finn	Mahar	Palmer	Tiffany
Brown	Gale	Maloney	Paris	Tompkins
Burr	Gallagher	Marshall	Patton	Trainor
Cain	Gibney	Martin	Perkins	Tremper
Chanler	Glaser	Mason	Peterson	Tripp
Clark A L	Goodsell	Matteson	Phillips	Van Hoesen
Clark C J	Graney	McEwan	Pickett	Wicke
Collins	Green	McGuire	Pierce	Williams
Crabtree	Greenwood	McKeown	Post	Witter

Cross	Griggs	McLaughlin	Schmid	A F Wright
Cullen	Guider	Meyer	G W jrSchultz	Zimmerman
Dale	Hachemeister			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 899) entitled "An act to authorize the board of trustees of the village of Mohawk, in the county of Herkimer, to issue bonds in payment of the existing indebtedness of said village." (Rec. No. 345.)

On motion of Mr. Smith said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	123 }
{ NOES	00 }

Those who voted in the affirmative, were

Ackert	Dale	Haight	Mohring	Seligsberg
Addis	Davis	Hanna	Mullany	Simmons
Adler	DeGraw	Harburger	Murphy	Sinsheimer
Allds	Delaney	Hatch	Murray	Sloan
Armstrong	Dillon	Hays	Myers J C	Smith E LaG
Axtell	Donnelly	Hutton	Nixon	Stedman
Baker	Dutton	Ives	O'Connor	Stoneman
Boland	Egan	Johnson	Palmer	Streifler
Bondy	Eldridge	Kavanaugh	Paris	Sullivan
Brennan E C	Ellis	Kelly	Patton	Taylor
Brennen J F	Evarts	Kelsey	Perkins	Ten Eyck
Brewster	Farrell	Kullman	Peterson	Tiffany
Brown	Finn	Laimbeer	Phillips	Tompkins
Burr	Fuller	Litchard	Pickett	Trainor
Cain	Gale	Lowenthal	Pierce	Tremper

Chanler	Gallagher	Mason	Post	Wallace
Clark A L	Gibney	Matteson	Raplee	Weekes
Clark C J	Glaser	McEwan	Redington	Weill
Collins	Goodsell	McGuire	Reisert	Whipple
Costello	Graney	McKeown	Roche	Wicke
Cottle	Green	McLaughlin	Schmid A F	Williams
Coughtry	Greenwood	Meyer G W	Schmid F	Witter
Crabtree	Griggs	Miles	Schulum	Wright
Cross	Guider	Miller	Sears	Zimmerman
Cullen	Hachemeis'r	Mitchell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1699) entitled "An act to reappropriate money for expenses, repairs and betterments of the State armory at Newburgh, N. Y., as provided for by chapter 949 of the Laws of 1896." (Int. No. 1285.)

On motion of Mr. Goodsell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Guider	Miles	Schmid A F
Addis	Dillon	Holbert	Miller	Schmid F
Adler	Donnelly	Hubbard	Mitchell	Schultz
Allds	Dutton	Hutton	Mohring	Simmons
Armstrong	Egan	Ives	Mullany	Sinsheimer
Axtell	Eldridge	Johnson	Murray	Sloan
Baker	Ellis	Kavanaugh	Myers J C	Smith E LaG
Boland	Evarts	Kelly	Nixon	Stedman
Bondy	Farrell	Kelsey	O'Connor	Stoneman

Brennan E C	Finn	Kullman	Oliver	Streifler
Brennen J F	Fish	Laimbeer	Palmer	Sullivan
Brewster	Fitzgerald	Litchard	Paris	Taylor
Brown	Fordyce	Lowenthal	Patton	Tompkins
Burr	Fritz	Mahar	Perkins	Trainor
Cain	Fuller	Maloney	Peterson	Tremper
Chanler	Gale	Marshall	Phillips	Tripp
Clark A L	Gallagher	Martin	Pierce	Van Hoesen
Clark C J	Gibney	Mason	Pickett	Van Rens'aer
Collins	Glaser	Matteson	Post	Vincent
Costello	Goodsell	McEwan	Raplee	Weekes
Cottle	Graney	McGuire	Redington	Weill
Coughtry	Green	McKeown	Reisert	Witter
Cowles	Greenwood	McLaughlin	Sage	Wright
Davis	Griggs	Meyer G W	Sanford	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1682) entitled "An act to authorize the city of Syracuse to levy a tax to provide for the means to defray the cost of the completion of a building for fire purposes, in the Fifteenth ward of the city of Syracuse, and for equipping the same." (Int. No. 1268.)

On motion of Mr. Bondy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoffman	Mohring	Simmons
Addis	Dutton	Holbert	Mullany	Sinsheimer
Adler	Egan	Hubbard	Murphy	Sloan
Allds	Eldridge	Hutton	Murray	Smith E LaG

Armstrong	Ellis	Ives	Myers J C	Stedman
Axtell	Evarts	Johnson	Nixon	Stoneman
Baker	Farrell	Kavanagh	O'Connor	Streifler
Boland	Finn	Kelly	Patton	Sullivan
Bondy	Fish	Kelsey	Perkins	Taylor
Brennan E C	Fitzgerald	Kullman	Peterson	Ten Eyck
Brennen J F	Fordyce	Laimbeer	Phillips	Tiffany
Brewster	Fritz	Litchard	Pickett	Tompkins
Brown	Fuller	Lowenthal	Pierce	Trainor
Burr	Gale	Marshall	Post	Tremper
Cain	Gallagher	Martin	Raplee	Tripp
Chanler	Gibney	Mason	Redington	Vroman
Clark A L	Glaser	Matteson	Reisert	Wallace
Clark C J	Goodsell	McEwan	Roche	Weekes
Collins	Graney	McGuire	Russell	Weill
Costello	Green	McKeown	Sage	Whipple
Cottle	Greenwood	McLaughlin	Sanford	Wicke
Dale	Griggs	Meyer, G. W	Schmid A F	Williams
Davis	Hays	Miles	Schmid F	Witter
DeGraw	Hill	Miller	Schulum	Wright
Delaney	Hoes	Mitchell	Sears	Zimmerman
Dillon				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1407) entitled "An act to incorporate the Rome Water Power Company of Rome, Oneida county, N. Y." (Int. No. 1143.)

On motion of Mr. Mason, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 1 }

Those who voted in the affirmative, were

Ackert	Delaney	Haight	Mullany	Shoeneck
Addis	Dillon	Holbert	Murphy	Simmons
Adler	Donnelly	Hubbard	Murray	Sinsheimer
Allds	Dutton	Hutton	Myers J C	Sloan
Armstrong	Egan	Ives	Nixon	Smith E La G
Axtell	Eldridge	Johnson	O'Connor	Stedman
Baker	Ellis	Kavanaugh	Oliver	Stoneman
Boland	Evarts	Kelly	Palmer	Ten Eyck
Bondy	Farrell	Kelsey	Perkins	Tompkins
Brennan E C Finn		Kullman	Peterson	Trainor
Brennan J F Fish		Mahar	Phillips	Tremper
Brewster	Fitzgerald	Maloney	Pickett	Tripp
Brown	Fordyce	Marshall	Pierce	Van Hoesen
Burr	Fritz	Martin	Post	Van Rens'aer
Cain	Fuller	Mason	Raplee	Vincent
Chanler	Gale	Matteson	Redington	Vroman
Clark A L	Gallagher	McEwan	Reisert	Wallace
Clark C J	Gibney	McGuire	Roche	Weekes
Collins	Glaser	McKeown	Sanford	Weill
Costello	Goodsell	McLaughlin	Schmid A F	Whipple
Cottle	Graney	Meyer G W	Schmid F	Wicke
Coughtry	Green	Miles	Schultz	Williams
Cowles	Greenwood	Miller	Schulam	Witter
Crabtree	Griggs	Mitchell	Sears	Wright
Cross	Guider	Mohring	Seligsberg	Zimmerman
DeGraw	Hachemeis'r			

In the negative,
 Tiffany

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1791) entitled "An act in relation to the village of Chatham, in Columbia county." (Int. No. 1323.)

On motion of Mr. Hoes, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hanna	Mitchell	Sears
Addis	Delaney	Harburger	Mohring	Seligsberg
Adler	Dillon	Hatch	Mullany	Shoenek
Allds	Donnelly	Hays	Murphy	Simmons
Armstrong	Dutton	Hoes	Murray	Sinsheimer
Axtell	Egan	Hoffman	Myers, J C	Sloan
Baker	Eldridge	Holbert	Nixon	Smith E L
Boland	Ellis	Hubbard	O'Connor	Stedman
Bondy	Evarts	Hutton	Oliver	Stoneman
Brennan E C	Farrell	Ives	Palmer	Streifler
Brennen J F	Finn	Johnson	Paris	Sullivan
Brewster	Fish	Kavanaugh	Patton	Taylor
Brown	Fritz	Kelly	Perkins	Ten Eyck
Burr	Fuller	Mahar	Peterson	Tiffany
Cain	Gale	Maloney	Phillips	Tompkins
Chanler	Gallagher	Marshall	Pickett	Trainor
Clark A L	Gibney	Martin	Reisert	Tremper
Clark C J	Glaser	Mason	Roche	Tripp
Collins	Goodsell	Matteson	Russell	Van Hoesen
Costello	Graney	McEwan	Sage	Van Rens'aer
Cottle	Green	McGuire	Sanford	Vincent
Coughtry	Greenwood	McKeown	Schmid A F	Vroman
Cowles	Griggs	McLaughlin	Schmid F	Williams
Crabtree	Guider	Meyer G W	Schultz	Witter
Cross	Hachemeis'r	Miles	Schulum	Wright
Cullen	Haight	Miller		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1794) entitled "An act to authorize the city of Albany to open Montgomery street in said city between Steuben street and Maiden lane." (Int. No. 1216.)

On motion of Mr. Kelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hill	Miller	Simmons
Addis	Dillon	Hoes	Mitchell	Sinsheimer
Adler	Donnelly	Hoffman	Mohring	Sloan
Allds	Dutton	Holbert	Mullany	Smith E LaG
Armstrong	Egan	Hubbard	Murphy	Stedman
Axtell	Eldridge	Hutton	Murray	Stoneman
Baker	Ellis	Ives	Nixon	Streifler
Boland	Evarts	Johnson	O'Connor	Sullivan
Bondy	Farrell	Kavanaugh	Oliver	Tiffany
Brennan EC	Fitzgerald	Kelly	Perkins	Tompkins
Brennen J F	Fordyce	Kelsey	Peterson	Trainor
Brewster	Fritz	Kullman	Phillips	Tremper
Brown	Fuller	Lainbeer	Pickett	Tripp
Burr	Gale	Litchard	Pierce	Van Hoesen
Cain	Gallagher	Lowenthal	Post	Van Rens'aer
Chanler	Gibney	Mahar	Raplee	Vincent
Clark A L	Glaser	Maloney	Redington	Vroman
Clark C J	Goodsell	Marshall	Reisert	Wallace
Collins	Graney	Martin	Roche	Weekes
Costello	Green	Mason	Russell	Weill
Cottle	Greenwood	Matteson	Sage	Whipple
Coughtry	Griggs	McEwan	Schultz	Wicke
Cowles	Guider	McGuire	Schulum	Williams
Crabtree	Hachemeister	McKeown	Sears	Witter
Cross	Haight	McLaughlin	Seligsberg	Wright
Cullen	Hatch	Meyer G W	Shoeneck	Zimmerman
DeGraw	Hays	Miles		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1784) entitled "An act to amend the Public Health Law, and the

act amendatory thereof, in relation to the practice of denistry." (Int. No. 1129.)

On motion of Mr. Post, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 117 }
} NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hoffman	O'Connor	Sinsheimer
Addis	Dillon	Holbert	Oliver	Sloan
Adler	Donnelly	Hubbard	Palmer	Smith E LaG
Allds	Dutton	Hutton	Paris	Stoneman
Armstrong	Egan	Johnson	Patton	Streifler
Axtell	Eldridge	Kavanaugh	Perkins	Sullivan
Baker	Ellis	Kelly	Peterson	Taylor
Boland	Evarts	Kelsey	Phillips	Ten Eyck
Bondy	Farrell	Matteson	Pickett	Tiffany
Brennan E C	Finn	McEwan	Redington	Tompkins
Brennen J F	Fish	McGuire	Reisert	Trainor
Brewster	Fitzgerald	McKeown	Roche	Tremper
Brown	Fordyce	McLaughlin	Russell	Vincent
Burr	Fritz	Meyer G W	Sage	Vroman
Cain	Fuller	Miles	Sanford	Wallace
Chanler	Gale	Miller	Schmid A F	Weekes
Clark A L	Hachmeister	Mitchell	Schmid F	Weill
Clark C J	Haight	Mohring	Schultz	Whipple
Crabtree	Hanna	Mullany	Schulum	Wicke
Cross	Harburger	Murphy	Sears	Williams
Cullen	Hatch	Murray	Seligberg	Witter
Dale	Hays	Myers J C	Shoeneck	Wright
Davis	Hill	Nixon	Simmons	Zimmerman
DeGraw	Hoes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1698) entitled "An act to amend the Highway Law, in relation to assessment for highway labor." (Int. No. 1284.)

On motion of Mr. Russell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Harburger	Mullany	Seligsberg
Addis	Davis	Hatch	Murphy	Shoeneck
Adler	DeGraw	Hays	Murray	Simmons
Allds	Dutton	Hill	Myers J C	Sinsheimer
Armstrong	Egan	Hoes	Nixon	Sloan
Axtell	Eldridge	Hoffman	O'Connor	Smith E LaG
Baker	Ellis	Hutton	Oliver	Stedman
Boland	Evarts	Ives	Palmer	Stoneman
Bondy	Farrell	Johnson	Paris	Streifler
Brennan E C	Finn	Kavanaugh	Patton	Sullivan
Brennen J F	Fish	Kelly	Perkins	Taylor
Brewster	Fitzgerald	Kelsey	Peterson	Ten Eyck
Brown	Fordyce	Kullman	Phillips	Tiffany
Burr	Fritz	Laimbeer	Pickett	Tripp
Cain	Gallagher	Litchard	Pierce	Van Hoesen
Chanler	Gibney	Lowenthal	Post	Van Rens'aer
Clark A L	Glaser	Matteson	Raplee	Vincent
Clark C J	Goodsell	McEwan	Redington	Vroman
Collins	Graney	McGuire	Reisert	Wallace
Costello	Green	McKeown	Roche	Weekes
Cottle	Greenwood	McLaughlin	Russell	Weill
Coughtry	Griggs	Meyer G W	Sage	Williams
Cowles	Guider	Miles	Sanford	Witter
Crabtree	Hachemeis'r	Miller	Schmid A F	Wright
Cross	Haight	Mitchell	Schultz	Zimmerman
Cullen	Hanna	Mohring	Sears	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1670) entitled "An act to amend the Fisheries, Game and Forest Law, relative to clam beds" (Int. No. 1238), having been announced for a second reading,

On motion of Mr. Reisert, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 1783) entitled "An act to amend section 3 of chapter 116 of the Laws of 1897, entitled 'An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office.'" (Int. No. 471.)

On motion of Mr. Paris, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hays	Miles	Schmid F
Addis	DeGraw	Hill	Miller	Schultz
Adler	Dillon	Hoes	Mitchell	Simmons
Allds	Donnelly	Hoffman	Mohring	Sinsheimer
Armstrong	Dutton	Holbert	Mullany	Sloan
Axtell	Evarts	Hubbard	Murphy	Smith E LaG
Baker	Farrell	Ives	Murray	Stedman
Boland	Finn'	Johnson	Myers J C	Stoneman
Bondy	Fish	Kavanaugh	Nixon	Strifler
Brennan E C	Fitzgerald	Kelly	O'Connor	Sullivan
Brennen J F	Fordyce	Kelsey	Oliver	Ten Eyck
Brewster	Fritz	Laimbeer	Palmer	Tiffany

Brown	Fuller	Litchard	Paris	Tompkins
Burr	Gale	Lowenthal	Patton	Trainor
Cain	Gallagher	Mahar	Peterson	Tremper
Chanler	Gibney	Maloney	Phillips	Tripp
Clark A L	Glaser	Marshall	Post	Van Hoesen
Costello	Goodsell	Martin	Raplee	Van Rens'aer
Cottle	Graney	Mason	Redington	Vincent
Coughtry	Green	Matteson	Reisert	Vroman
Cowles	Greenwood	McEwan	Roche	Wallace
Crabtree	Griggs	McGuire	Russell	Wicke
Cross	Guider	McKeown	Sage	Witter
Cullen	Hachemeis'r	McLaughlin	Sanford	Wright
Dale	Hatch	Meyer G W	Schmid A F	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1787) entitled "An act in relation to the militia, constituting chapter 16 of the general laws." (Int. No. 953.)

On motion of Mr. Nixon, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hatch	Miles	Schulum
Addis	DeGraw	Hays	Miller	Sears
Adler	Delaney	Hoffman	Mitchell	Seligsberg
Alds	Dillon	Holbert	Mohring	Simmons
Armstrong	Donnelly	Hubbard	Mullany	Sinsheimer
Axtell	Dutton	Hutton	Murphy	Sloan
Baker	Fgan	Ives	Murray	Smith E LaG
Boland	Eldridge	Johnson	Myers J C	Stedman
Bondy	Ellis	Kavanaugh	Nixon	Stoneman

Brennan EC	Evarts	Kelly	O'Connor	Streifler
Brennen J F	Farrell	Kelsey	Oliver	Sullivan
Brewster	Finn	Kullman	Palmer	Taylor
Brown	Gale	Laimbeer	Paris	Ten Eyck
Burr	Gallagher	Litchard	Patton	Tremper
Cain	Gibney	Lowenthal	Perkins	Tripp
Chanler	Glaser	Mahar	Peterson	Van Hoesen
Clark A L	Goodsell	Maloney	Phillips	Van Rens'aer
Clark C J	Graney	Marshall	Redington	Vincent
Collins	Green	Martin	Reisert	Vroman
Costello	Greenwood	Mason	Roche	Wallace
Cottle	Griggs	McEwan	Russell	Weekes
Coughtry	Guider	McGuire	Sage	Weill
Cowles	Hachemeis'r	McKeown	Sanford	Wright
Crabtree	Hanna	McLaughlin	Schmid A F	Zimmerman
Dale	Harburger	Meyer G W	Schmid F	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1829) entitled "An act to amend chapter 84 of the Laws of 1886, entitled 'An act to incorporate the city of Jamestown,' and the several acts amendatory thereof." (Int. No. 1301.)

On motion of Mr. Peterson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cross	Hanna	Meyer G W	Sage
Addis	Cullen	Harburger	Miles	Seligsberg
Adler	Dale	Hatch	Miller	Simmons
Allds	Davis	Hays	Mitchell	Sinsheimer
Armstrong	DeGraw	Hill	Mohring	Sloan

Axtell	Delaney	Hoes	Mullany	Smith E La G
Baker	Dillon	Hoffman	Murphy	Stoneman
Boland	Donnelly	Holbert	Murray	Streifer
Bondy	Dutton	Kelly	Nixon	Sullivan
Brennan E C	Egan	Kelsey	O'Connor	Taylor
Brennen J F	Evarts	Kullman	Oliver	Ten Eyck
Brewster	Farrell	Laimbeer	Palmer	Tiffany
Brown	Finn	Litchard	Paris	Tompkins
Burr	Fish	Lowenthal	Patton	Trainor
Cain	Fitzgerald	Mahar	Peterson	Tremper
Chanler	Fordyce	Maloney	Phillips	Tripp
Clark A L	Fritz	Marshall	Pickett	Van Hoesen
Clark C J	Fuller	Martin	Pierce	Van Rensel'r
Collins	Gale	Mason	Post	Vincent
Costello	Gallagher	Matteson	Raplee	Vroman
Cottle	Gibney	McEwan	Redington	Whipple
Coughtry	Glaser	McGuire	Reisert	Wicke
Cowles	Hachemeis'r	McKeown	Roche	Wright
Crabtree	Haight	McLaughlin	Russell	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 363) entitled "An act to amend the Game Law, and the acts amendatory thereof, relating to the hunting and killing of deer in the counties of Ulster, Greene, Delaware and Sullivan." (Rec. 97.)

On motion of Mr. Axtell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 09 }

Those who voted in the affirmative, were

Ackert	Cullen	Holbert	Murray	Shoeneck
Addis	Dale	Hubbard	Myers J C	Sloan
Adler	Dutton	Hutton	Nixon	Smith E La G

Allds	Egan	Ives	O'Connor	Stedman
Armstrong	Eldridge	Johnson	Oliver	Stoneman
Axtell	Ellis	Kavanaugh	Palmer	Streifler
Baker	Evarts	Kelly	Paris	Sullivan
Boland	Farrell	Kelsey	Patton	Taylor
Bondy	Finn	Kullman	Perkins	Ten Eyck
Brennan E C	Fish	Laimbeer	Peterson	Tiffany
Brennen J F	Fitzgerald	Litchard	Phillips	Tompkins
Brewster	Gale	Lowenthal	Pickett	Van Hoesen
Brown	Gallagher	Matteson	Pierce	Van Rens'aer
Burr	Gibney	McEwan	Post	Vincent
Chanler	Glaser	McGuire	Roche	Vroman
Clark A L	Goodsell	McKeown	Russell	Wallace
Clark C J	Graney	McLaughlin	Sage	Weekes
Collins	Green	Meyer G W	Sanford	Weill
Costello	Greenwood	Miles	Schmid A F	Whipple
Cottle	Griggs	Miller	Schmid F	Wicke
Coughtry	Guider	Mitchell	Schultz	Witter
Cowles	Hachemeis'r	Mohring	Schulum	Wright
Crabtree	Haight	Mullany	Sears	Zimmerman
Cross	Hanna	Murphy	Seligberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 589) entitled "An act for the relief of the Evangelical Lutheran Church of the Atonement, of the city of New York, a religious corporation." (Rec. No. 222.)

On motion of Mr. Lowenthal, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hays	Miller	Sears
Addis	Dale	Holbert	Mitchell	Seligsberg
Adler	Davis	Hubbard	Mohring	Shoeneck
Allds	DeGraw	Hutton	Mullany	Simmons
Armstrong	Delaney	Ives	Murphy	Sinsheimer
Axtell	Dillon	Johnson	Murray	Sloan
Baker	Donnelly	Kavanaugh	Myers J C	Smith F La G
Boland	Fitzgerald	Kelly	O'Connor	Stedman
Bondy	Fordyce	Kelsey	Oliver	Stoneman
Brennan E C	Fritz	Kullman	Palmer	Streifler
Brennen J F	Fuller	Laimbeer	Paris	Taylor
Brewster	Gale	Litchard	Patton	Ten Eyck
Brown	Gallagher	Lowenthal	Perkins	Tiffany
Burr	Gibney	Mahar	Peterson	Tompkins
Cain	Glaser	Maloney	Phillips	Trainor
Chanler	Goodsell	Marshall	Redington	Tremper
Clark A L	Graney	Martin	Reisert	Tripp
Clark C J	Green	Mason	Roche	Van Hoesen
Collins	Greenwood	Matteson	Russell	Vincent
Costello	Griggs	McEwan	Sage	Vroman
Cottle	Guider	McGuire	Sanford	Wallace
Coughtry	Hachemeis'r	McKeown	Schmid A F	Weekes
Cowles	Haight	McLaughlin	Schmid F	Witter
Crabtree	Hanna	Meyer G W	Schultz	Wright
Cross	Hatch	Miles	Schulum	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1055) entitled "An act to amend the Consolidated School Law, and the acts amendatory thereof, relative to library books." (Rec. No. 334.)

On motion of Mr. Miles, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hutton	Nixon	Sinsheimer
Adler	Delaney	Ives	O'Connor	Sloan
Addis	Dillon	Kelly	Oliver	Smith E LaG
Allds	Donnelly	Kullman	Palmer	Stedman
Armstrong	Dutton	Laimbeer	Paris	Stoneman
Axtell	Egan	Litchard	Patton	Streifler
Baker	Eldridge	Lowenthal	Perkins	Tompkins
Boland	Ellis	Mahar	Peterson	Trainor
Bondy	Evarts	Maloney	Phillips	Tremper
Brennan E C	Fritz	Marshall	Pickett	Tripp
Brennen J F	Fuller	Martin	Pierce	Van Hoesen
Brewster	Gale	Mason	Post	Van Rens'aer
Brown	Gallagher	Matteson	Redington	Vincent
Burr	Gibney	McEwan	Reisert	Vroman
Cain	Glaser	McGuire	Sage	Wallace
Chanler	Goodsell	McKeown	Sanford	Weekes
Clark A L	Hachemeis'r	McLaughlin	Schmid A F	Weill
Clark C J	Haight	Meyer G W	Schmid F	Whipple
Collins	Hanna	Miles	Schultz	Wicke
Crabtree	Harburger	Miller	Schulum	Williams
Cross	Hatch	Mitchell	Sears	Witter
Cullen	Hoffman	Mohring	Seligsberg	Wright
Dale	Holbert	Mullany	Simmons	Zimmerman
Davis	Hubbard	Murphy		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 880) entitled "An act to amend the Code of Civil Procedure, section 191, relative to appeals to the Court of Appeals." (Rec. No. 244.)

On motion of Mr. Allds, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hoes	Mitchell	Schulum
Addis	Dale	Hoffman	Mohring	Sears
Adler	Davis	Holbert	Mullany	Seligsberg
Allds	DeGraw	Hubbard	Murphy	Shoeneck
Armstrong	Delaney	Kavanaugh	Murray	Simmons
Axtell	Eldridge	Kelly	Myers J C	Sinsheimer
Baker	Ellis	Kelsey	Nixon	Sloan
Boland	Evarts	Kullman	OConnor	Smith E La G
Bondy	Farrell	Laimbeer	Oliver	Ten Eyck
Brennan E C	Finn	Litchard	Palmer	Tiffany
Brennen J F	Fish	Lowenthal	Paris	Tompkins
Brewster	Fitzgerald	Mahar	Peterson	Trainor
Brown	Fordyce	Maloney	Phillips	Tremper
Burr	Goodsell	Marshall	Pickett	Tripp
Cain	Graney	Martin	Pierce	Van Hosen
Chanler	Green	Mason	Post	Van Rens'aer
Clark A L	Greenwood	Matteson	Raplee	Vincent
Clark C J	Griggs	McEwan	Reisert	Vroman
Collins	Guider	McGuire	Roche	Wallace
Costello	Hachemeis'r	McKeown	Russell	Weekes
Cottle	Haight	McLaughlin	Sage	Weill
Coughtry	Harburger	Meyer G W	Schmid A F	Whipple
Cowles	Hatch	Miles	Schmid F	Wicke
Crabtree	Hays	Miller	Schultz	Zimmerman
Cross	Hill			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 761) entitled "An act to amend chapter 119, Laws of 1869,

entitled 'An act to incorporate the American Museum of Natural History,' relative to its charter." (Rec. No. 208.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Johnson	O'Connor	Smith E LaG
Addis	Dutton	Kavanaugh	Oliver	Stedman
Adler	Egan	Kelly	Palmer	Stoneman
Allds	Eldridge	Kelsey	Paris	Streifler
Armstrong	Ellis	Kullman	Patton	Sullivan
Axtell	Evarts	Laimbeer	Perkins	Taylor
Baker	Farrell	Litchard	Peterson	Ten Eyck
Boland	Finn	Lowenthal	Phillips	Tompkins
Bondy	Fitzgerald	Mahar	Pickett	Trainor
Brennan EC	Fordyce	Maloney	Pierce	Tremper
Brennen J F	Fritz	Marshall	Post	Tripp
Brewster	Fuller	Martin	Raplee	Van Hoesen
Brown	Gale	McGuire	Redington	Van Rens'aer
Burr	Gallagher	McKeown	Reisert	Vincent
Cain	Gibney	McLaughlin	Roche	Vroman
Chanler	Glaser	Meyer G W	Russell	Wallace
Clark A L	Goodsell	Miles	Sage	Weekes
Clark C J	Graney	Miller	Schultz	Weill
Collins	Green	Mitchell	Schulum	Whipple
Costello	Greenwood	Mohring	Seligsberg	Wicke
Dale	Griggs	Mullany	Shoeneck	Williams
Davis	Guider	Murphy	Simmons	Witter
DeGraw	Hachemeis'r	Murray	Sinsheimer	Wright
Delaney	Haight	Myers J C	Sloan	Zimmerman
Dillon	Hanna	Nixon		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 667) entitled "An act to legalize the acts of former justices of the district courts in the city of New York, and provide for the payment of compensation for their services, relative to Municipal Courts of New York city." (Rec. 209.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ **AYES** 117 }
 { **NOES** 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Holbert	Mohring	Seligsberg
Addis	Dutton	Hubbard	Mullany	Shoeneck
Adler	Egan	Hutton	Murray	Simmons
Allds	Eldridge	Kavanaugh	Myers J C	Sinsheimer
Armstrong	Ellis	Kelly	Nixon	Sloan
Axtell	Evarts	Kelsey	O'Connor	Smith E LaG
Baker	Farrell	Kullman	Oliver	Stedman
Boland	Finn	Laimbeer	Palmer	Stoneman
Bondy	Fish	Litchard	Patton	Ten Eyck
Brennan EC	Fitzgerald	Lowenthal	Perkins	Tiffany
Brennen J F	Fuller	Mahar	Peterson	Tompkins
Brewster	Gale	Maloney	Phillips	Trainor
Brown	Gallagher	Marshall	Pickett	Tremper
Burr	Goodsell	Martin	Redington	Tripp
Cain	Graney	Mason	Reisert	Van Hoesen
Collins	Green	Matteson	Roche	Van Rens'aer
Costello	Greenwood	McEwan	Russell	Vincent
Cottle	Griggs	McGuire	Sage	Vroman
Coughtry	Guider	McKeown	Sanford	Wallace
Cowles	Hachemeis'r	Meyer G W	Schmid A F	Weekes
Cross	Hays	Miles	Schmid F	Weill
Cullen	Hill	Miller	Shultz	Whipple
Dale	Hoes	Mitchell	Schulam	Wicke
Davis	Hoffman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 478) entitled "An act to amend the Fisheries, Game and Forest Law, relating to hounds and other dogs running at large in the forests of this State where deer inhabit." (Rec. No. 292.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hubbard	Murphy	Simmons
Addis	Donnelly	Hutton	Murray	Sinsheimer
Adler	Dutton	Ives	Myers J C	Sloan
Allds	Egan	Kelly	Nixon	Smith E LaG
Armstrong	Eldrige	Kelsey	O'Connor	Stedman
Axtell	Ellis	Kullman	Oliver	Stoneman
Baker	Evarts	Laimbeer	Palmer	Streifler
Boland	Fritz	Litchard	Paris	Sullivan
Bondy	Fuller	Lowenthal	Patton	Taylor
Brennan E C	Gale	Mahar	Perkins	Ten Eyck
Brennen J F	Gallagher	Maloney	Peterson	Tompkins
Brewster	Gibney	Marshall	Phillips	Trainor
Brown	Glazer	Martin	Pickett	Tremper
Burr	Goodsell	Mason	Pierce	Tripp
Cain	Graney	Matteson	Post	Van Hoesen
Chanler	Green	McEwan	Raplee	Van Rens'aer
Clark A L	Greenwood	McGuire	Redington	Vincent
Clark C J	Griggs	McKeown	Sanford	Weill
Collins	Guider	McLaughlin	Schmid A F	Whipple
Costello	Hachemeis'r	Meyer G W	Schultz	Wicke
Cottle	Haight	Miles	Schulum	Williams

Coughtry	Hill	Miller	Sears	Witter
Cowles	Hoes	Mitchell	Seligsberg	Wright
DeGraw	Hoffman	Mullany	Shoeneck	Zimmerman
Delaney	Holbert			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1013) entitled "An act to amend chapter 568 of the Laws of 1895, entitled 'An act to incorporate the city of Johnstown.'" (Rec. No. 341.)

On motion of Mr. Hays, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	98	}
{	NOES	00	}

Those who voted in the affirmative, were

Ackert	Evarts	Johnson	Paris	Stoneman
Addis	Finn	Kavanaugh	Patton	Sullivan
Allds	Fitzgerald	Kelsey	Peterson	Ten Eyck
Axtell	Fritz	Laimbeer	Phillips	Tiffany
Boland	Gale	Litchard	Pierce	Trainor
Bondy	Gibney	Lowenthal	Raplee	Tremper
Brennan E C	Glaser	Mahar	Reisert	Tripp
Brennen J F	Graney	Maloney	Roche	Van Hoesen
Brown	Green	Martin	Sage	Van Rens'aer
Chanler	Greenwood	Mason	Sanford	Vincent
Clark A L	Griggs	McEwan	Schmid F	Vrooman
Costello	Guider	McKeown	Schultz	Wallace
Coughtry	Hachemeis'r	Meyer G W	Schulum	Weill
Cowles	Hanna	Miles	Seligsberg	Whipple
Cross	Hatch	Mitchell	Shoeneck	Wicke
Dale	Hays	Mullany	Simmons	Weekes

DeGraw	Hoes	Murray	Sloan	Williams
Dillon	Hoffman	Myers J C	Smith E LaG	Wright
Egan	Holbert	O'Connor	Stedman	Zimmerman
Ellis	Hutton	Palmer		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 745) entitled "An act to authorize and empower the corporation called 'Round Island Company' to appoint one or more special policemen." (Rec. No. 266.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Evarts	Holbert	Myers J C	Smith E LaG
Addis	Farrell	Hutton	O'Connor	Stedman
Adler	Fish	Ives	Palmer	Stoneman
Armstrong	Fitzgerald	Johnson	Paris	Streifler
Baker	Fritz	Kavanaugh	Perkins	Taylor
Bondy	Gale	Kelly	Peterson	Ten Eyck
Brennan J F	Gibney	Kelsey	Phillips	Tiffany
Brown	Glaser	Laimbeer	Pickett	Tompkins
Burr	Goodsell	Mahar	Pierce	Trainor
Cain	Graney	Maloney	Post	Tremper
Clark A L	Green	Martin	Raplee	Tripp
Collins	Greenwood	Matteson	Reddington	Van Hoesen
Cottle	Griggs	McEwan	Roche	Van Rens'aer
Coughtry	Guider	McGuire	Russell	Vincent
Crabtree	Hachemeis'r	McLaughlin	Sanford	Wallace
Cullen	Haight	Meyer G W	Schmid F	Weill

Davis	Harburger	Miles	Schultz	Whipple
Delaney	Hatch	Mitchell	Sears	Wicke
Donnelly	Hill	Mohring	Seligsberg	Witter
Egan	Hoes	Mullany	Sinsheimer	Wright
Eldridge	Hoffman	Murray	Sloan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 307) entitled "An act to authorize the board of estimate and apportionment of The City of New York to audit, and the comptroller of the said city to pay, the expenses of Lewis M. Hornthal, Richard Kelly, Joseph Fettretch, and Jeremiah Fitzpatrick, incurred for legal services and other expenses in actions brought against them individually and as trustees of the common schools for the Nineteenth ward of The City of New York by Louise M. Galligan." (Rec. No. 155.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoffman	Murphy	Sinsheimer
Addis	Dutton	Holbert	Myers J C	Smith E LaG
Adler	Eldridge	Hutton	O'Connor	Stedman
Armstrong	Ellis	Ives	Palmer	Streifler
Axtell	Farrell	Johnson	Patton	Taylor
Boland	Fish	Kavanaugh	Perkins	Tiffany
Bondy	Fitzgerald	Kelly	Phillips	Tompkins
Brennen J F	Fuller	Kullman	Pickett	Trainor
Brewster	Gallagher	Laimbeer	Post	Tremper

Brown	Gibney	Litchard	Raplee	Tripp
Burr	Glaser	Mahar	Redington	VanHoesen
Chanler	Graney	Maloney	Reisert	Van Rens'aer
Clark C J	Green	Marshall	Roche	Vroman
Costello	Griggs	Mason	Sage	Weekes
Cottle	Guider	McEwan	Sanford	Weill
Cowles	Haight	McKeown	Schmid F	Whipple
Cross	Harburger	McLaughlin	Shultz	Wicke
Cullen	Hatch	Miles	Schulum	Witter
Davis	Hays	Miller	Sears	Wright
Delaney	Hill	Mohring	Shoeneck	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1027) entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897." (Rec. No. 336.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the house would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Dutton	Hoffman	Nixon	Smith E LaG
Addis	Eldridge	Hubbard	O'Connor	Stoneman
Allds	Evarts	Hutton	Oliver	Streifler
Armstrong	Farrell	Johnson	Palmer	Sullivan
Baker	Finn	Kavanaugh	Perkins	Taylor
Bondy	Fitzgerald	Kelsey	Phillips	Ten Eyck

Brennen J F	Fordyce	Laimbeer	Pickett	Tiffany
Brewster	Fritz	Litchard	Pierce	Tompkins
Brown	Fuller	Mahar	Raplee	Trainor
Cain	Gale	Maloney	Redington	Tripp
Clark A L	Gallagher	Martin	Reisert	Van Hoesen
Clark C J	Glaser	Matteson	Russell	Van Renssel'r
Costello	Goodsell	McEwan	Sanford	Vincent
Cottle	Graney	McGuire	Schmid A F	Vroman
Cowles	Griggs	McLaughlin	Schmid F	Weekes
Cross	Guider	Meyer G W	Schultz	Weill
Cullen	Hachemeister	Miller	Sears	Wicke
Dale	Hanna	Mitchell	Seligsberg	Williams
DeGraw	Harburger	Mullany	Shoeneck	Witter
Dillon	Hayes	Murphy	Simmons	Wright
Donnelly	Hoes	Murray	Sinsheimer	

In the negative,
Patton

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 911) entitled "An act to amend chapter 488 of the Laws of 1892, known as the Fisheries, Game and Forest Law, section 111, and by adding thereto section 158, relating to suckers, eels and bullheads." (Rec. No. 245.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hill	Murray	Sinsheimer
Addis	Donnelly	Hoes	Myers J C	Smith E LaG
Adler	Egan	Holbert	O'Connor	Stedman

Armstrong	Eldridge	Hubbard	Palmer	Stoneman
Axtell	Ellis	Ives	Patton	Sullivan
Boland	Farrell	Kavanaugh	Perkins	Ten Eyck
Bondy	Finn	Kelly	Peterson	Tiffany
Brennan E C	Fitzgerald	Kullman	Pickett	Tompkins
Brewster	Fordyce	Litchard	Pierce	Trainor
Brown	Fritz	Mahar	Post	Tripp
Burr	Gale	Maloney	Redington	Van Hoesen
Chanler	Gallagher	Martin	Reisert	Vincent
Clark A L	Gibney	Matteson	Russell	Vroman
Clark C J	Goodsell	McEwan	Sage	Weekes
Costello	Green	McKeown	Sanford	Weill
Coughtry	Greenwood	Meyer G W	Schmid A F	Whipple
Crabtree	Griggs	Miles	Schultz	Williams
Cross	Haight	Miller	Schulum	Witter
Dale	Hanna	Mohring	Sears	Wright
DeGraw	Harburger	Murphy	Shoeneck	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 669) entitled "An act to amend chapter 91 of the Laws of 1892, entitled 'An act to amend chapter 498 of the Laws of 1872, entitled An act for the protection of livery stable keepers and other persons keeping horses at livery and pasture,' as amended by chapter 145 of the Laws of 1880,' so as to create a lien upon harness, trucks and other vehicles." (Rec. No. 301.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hill	Murray	Simmons
Addis	Egan	Hoffman	Myers J C	Sloan
Adler	Ellis	Holbert	Nixon	Smith E LaG
Allds	Farrell	Hubbard	Oliver	Stedman
Axtell	Finn	Ives	Paris	Stoneman
Boland	Fish	Johnson	Patton	Sullivan
Bondy	Fordyce	Kavanaugh	Peterson	Ten Eyck
Brennen J F	Fuller	Kelly	Phillips	Tiffany
Brown	Gale	Kullman	Pierce	Trainor
Burr	Gallagher	Litchard	Post	Tripp
Chanler	Glaser	Mahar	Raplee	Van Hoesen
Clark C J	Goodsell	Maloney	Reisert	Vincent
Costello	Graney	Marshall	Roach	Vroman
Cottle	Greenwood	Mason	Russell	Wallace
Cowles	Griggs	McEwan	Sage	Weekes
Cross	Guider	McKeown	Sanford	Whipple
Cullen	Hachemeis'r	Meyer G W	Schmid A F	Wicke
Davis	Hanna	Miller	Schultz	Witter
Delaney	Harburger	Mitchell	Schulum	Wright
Dillon	Hays	Mullany	Seligsberg	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 671) entitled "An act to amend the Fisheries, Game and Forest Law, relating to close season for hares and rabbits." (Rec. No. 185.)

On motion of Mr. Nixon, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 812) entitled "An act to amend chapter 220 of the Laws of 1866, being the charter of the village of Saratoga Springs, and to enable the trustees of said village to raise moneys for certain purposes." (Rec. No. 276.)

On motion of Mr. Kavanaugh, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hoes	Murray	Seligsberg
Addis	Donnelly	Holbert	Myers J C	Simmons
Adler	Dutton	Hubbard	Nixon	Sinsheimer
Armstrong	Eldridge	Ives	Oliver	Smith E La G
Axtell	Ellis	Johnson	Palmer	Stedman
Baker	Evarts	Kelly	Paris	Streifler
Bondy	Finn	Kelsey	Perkins	Taylor
Brennan E C	Fish	Laimbeer	Peterson	Ten Eyck
Brewster	Fordyce	Litchard	Phillips	Tiffany
Brown	Fritz	Lowenthal	Pierce	Tompkins
Cain	Gale	Mahar	Post	Tremper
Chanler	Gallagher	Marshall	Raplee	Tripp
Clark A L	Glaser	Martin	Redington	Van Rens'aer
Collins	Goodsell	Mason	Reisert	Van Hoesen
Costello	Graney	Matteson	Roche	Vincent
Coughtry	Greenwood	McEwan	Russell	Wallace
Cowles	Guider	McKeown	Sage	Weekes
Cross	Hachemeis'r	Meyer G W	Sanford	Whipple
Cullen	Haight	Miller	Schmid F	Wicke
Dale	Harburger	Mitchell	Schultz	Williams
Davis	Hatch	Mohring	Schulum	Witter
DeGraw	Hays	Mullany	Sears	Wright
Delaney	Hill			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 651) entitled "An act to provide for the display of the United States flag on the schoolhouses of the State, in connection with the public schools; and to encourage patriotic exercises in such schools." (Rec. No. 246.)

On motion of Mr. Mason, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hill	Miller	Schulum
Addis	Eldridge	Hoffman	Mohring	Seligsberg
Adler	Evarts	Hubbard	Mullany	Simmons
Allds	Farrell	Hutton	Murphy	Sinsheimer
Axtell	Finn	Ives	Myers J C	Sloan
Baker	Fitzgerald	Johnson	O'Connor	Stedman
Bondy	Fordyce	Kelly	Oliver	Streifler
Brennen J F	Fuller	Kelsey	Paris	Sullivan
Brown	Gale	Kullman	Patton	Ten Eyck
Burr	Gallagher	Laimbeer	Perkins	Tiffany
Chanler	Glaser	Litchard	Peterson	Trainor
Clark C J	Goodsell	Lowenthal	Pickett	Tremper
Collins	Graney	Mahar	Pierce	Van Hoesen
Cottle	Green	Maloney	Post	Van Rens'aer
Coughtry	Greenwood	Martin	Redington	Vincent
Crabtree	Griggs	Mason	Roche	Vroman
Cullen	Guider	Matteson	Russell	Weekes
Dale	Haight	McGuire	Sage	Whipple
Davis	Hanna	McLaughlin	Sanford	Wicke
Delaney	Hatch	Meyer G W	Schmid A F	Williams
Dillon	Hays	Miles	Schultz	Wright
Dutton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 566) entitled "An act to amend the Railroad Law, and the

acts amendatory thereof, relative to the location of tools in cars." (Rec. No. 123.)

On motion of Mr. Eldridge, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hutton	Nixon	Simmons
Addis	Egan	Johnson	Oliver	Sinsheimer
Adler	Eldridge	Kavanaugh	Paris	Smith E LaG
Armstrong	Evarts	Kelsey	Patton	Stedman
Axtell	Finn	Kullman	Peterson	Stoneman
Boland	Fitzgerald	Litchard	Phillips	Sullivan
Brennan E C	Fordyce	Mahar	Pierce	Taylor
Brennen J F	Fuller	Maloney	Post	Ten Eyck
Brewster	Gale	Martin	Raplee	Tiffany
Brown	Gibney	Mason	Redington	Tompkins
Burr	Glaser	McEwan	Reisert	Trainor
Chanler	Goodsell	McKeown	Roche	Tremper
Clark C J	Graney	McLaughlin	Russell	Van Hoesen
Collins	Green	Meyer G W	Sage	Vincent
Costello	Greenwood	Miles	Sanford	Wallace
Coughtry	Guider	Miller	Schmid A F	Weill
Cowles	Haight	Mitchell	Schmid F	Wicke
Cross	Harburger	Mohring	Schultz	Williams
Cullen	Hays	Mullany	Schulum	Witter
Davis	Hill	Murphy	Sears	Wright
DeGraw	Hoffman	Murray	Seligsberg	
Dillon	Hubbard	Myers J C	Shoeneck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill

(No. 392) entitled "An act to further amend chapter 753 of the Laws of 1857, entitled 'An act to incorporate the International Bridge Company,' and chapter 550 of the Laws of 1869, being an act to amend the same and to authorize the consolidation of said company with any bridge company incorporated by the laws of Canada, and conferring certain additional powers upon such consolidated company." (Rec. No. 190.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hutton	Nixon	Sloan
Addis	Egan	Johnson	O'Connor	Smith E LaG
Allds	Ellis	Kavanaugh	Oliver	Stedman
Armstrong	Farrell	Kelsey	Palmer	Stoneman
Baker	Fordyce	Kullman	Patton	Streifler
Bondy	Fritz	Laimbeer	Perkins	Taylor
Brennan E C	Gale	Litchard	Phillips	Ten Eyck
Brewster	Gallagher	Mahar	Pickett	Tompkins
Brown	Glaser	Maloney	Pierce	Trainor
Cain	Goodsell	Martin	Post	Tremper
Clark A L	Green	Matteson	Raplee	Van Hoesen
Clark C J	Greenwood	McGuire	Redington	Van Rens'aer
Costello	Guider	McKeown	Roche	Vincent
Coughtry	Hachemeis'r	McLaughlin	Russell	Wallace
Cowles	Haight	Miles	Schmid A F	Weekes
Crabtree	Harburger	Miller	Schmid F	Weill
Cross	Hatch	Mitchell	Schultz	Whipple
Dale	Hill	Mullany	Schulum	Wicke
Davis	Hoffman	Murphy	Seligsberg	Williams
Delaney	Hubbard	Myers J C	Simmons	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 948) entitled "An act to amend chapter 382 of the Laws of 1857, entitled 'An act in relation to schools and academies in the village of Ogdensburgh.'" (Rec. No. 312.)

On motion of Mr. Ives, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative were

Ackert	Delaney	Harburger	Mullany	Seligsberg
Addis	Dillon	Hill	Murphy	Sinsheimer
Allds	Dutton	Hoffman	Murray	Sloan
Armstrong	Egan	Holbert	Myers J C	Stedman
Baker	Ellis	Hubbard	O'Connor	Stoneman
Boland	Evarts	Hutton	Oliver	Streifler
Brennan E C	Finn	Johnson	Paris	Sullivan
Brennen J F	Fitzgerald	Kavanaugh	Perkins	Ten Eyck
Brown	Fordyce	Kelsey	Phillips	Trainor
Burr	Fritz	Laimbeer	Pickett	Tremper
Chanler	Fuller	Maloney	Post	Tripp
Clark A L	Gale	Marshall	Raplee	Van Hoesen
Collins	Gibney	Mason	Redington	Van Rens'aer
Costello	Glaser	Matteson	Reisert	Vincent
Coughtry	Goodsell	McEwan	Roche	Vroman
Cowles	Green	McKeown	Sage	Wallace
Crabtree	Greenwood	McLaughlin	Schmid A F	Weekes
Cross	Griggs	Meyer G W	Schmid F	Wicke
Cullen	Guider	Miller	Shultz	Williams
Dale	Haight	Mitchell	Sears	Wright
DeGraw	Hanna			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 946) entitled "An act to amend the Insurance Law, in relation to town and county co-operative insurance corporations." (Rec. No. 311.)

On motion of Mr. Ives, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hill	Murray	Stedman
Adler	Dillon	Hoes	Myers J C	Streifler
Allds	Donnelly	Holbert	O'Connor	Sullivan
Armstrong	Egan	Hutton	Oliver	Taylor
Baker	Ellis	Ives	Palmer	Ten Eyck
Bondy	Evarts	Johnson	Paris	Tiffany
Brennen J F	Finn	Kavanaugh	Perkins	Tompkins
Brewster	Fish	Kelly	Phillips	Trainor
Brown	Fordyce	Kullman	Pickett	Tremper
Cain	Fritz	Litchard	Pierce	Tripp
Chanler	Fuller	Mahar	Post	Van Hoesen
Clark A L	Gallagher	Maloney	Redington	Van Rens'laer
Clark C J	Glaser	Martin	Roche	Vincent
Collins	Goodsell	Mason	Russell	Vroman
Costello	Graney	McEwan	Schmid A F	Wallace
Cottle	Green	McKeown	Schmid F	Weekes
Coughtry	Griggs	Meyer G W	Schultz	Weill
Cowles	Guider	Miles	Schulum	Whipple
Crabtree	Haight	Miller	Seligsberg	Wicke
Cross	Harburger	Mitchell	Shoeneck	Witter
Cullen	Hatch	Mullany	Sinsheimer	Wright
Dale	Hays	Murphy	Smith E L	Zimmerman
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 93) entitled "An act to amend the Code of Civil Procedure, relative to actions to recover real property." (Rec. No. 252.)

On motion of Mr. Armstrong, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Thoses who voted in the affirmative, were

Ackert	Egan	Hoes	Murray	Sloan
Adler	Eldridge	Holbert	Nixon	Smith E La G
Armstrong	Ellis	Hutton	O'Connor	Stoneman
Baker	Evarts	Ives	Palmer	Streifler
Bondy	Finn	Kavanaugh	Patton	Sullivan
Brennan E C	Fitzgerald	Kelly	Perkins	Ten Eyck
Brewster	Fordyce	Kullman	Phillips	Tiffany
Brown	Fuller	Litchard	Pickett	Tompkins
Burr	Gale	Lowenthal	Pierce	Trainor
Cain	Gallagher	Mahar	Post	Tremper
Clark A L	Gibney	Maloney	Redington	Van Hoesen
Clark C J	Glaser	Marshall	Reisert	Van Rens'aer
Costello	Graney	Martin	Roche	Vincent
Cottle	Green	Matteson	Sage	Vroman
Coughtry	Griggs	McEwan	Sanford	Weekes
Cowles	Guider	McKeown	Schmid F	Weill
Crabtree	Hachemeis'r	McLaughlin	Schultz	Whipple
Cullen	Haight	Meyer G W	Schulum	Williams
Davis	Harburger	Miller	Sears	Witter
DeGraw	Hatch	Mohring	Shoeneck	Wright
Dillon	Hill	Mullany	Simmons	Zimmerman
Donnelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1001) entitled "An act to incorporate the union free school district No. 3, town of Orangetown, county of Rockland." (Rec. No. 331.)

On motion of Mr. Brown, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	98}
{	NOES	00}

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Nixon	Simmons
Addis	Egan	Holbert	Oliver	Sinsheimer
Adler	Eldridge	Hubbard	Palmer	Sloan
Allds	Evarts	Ives	Patton	Smith E La G
Axtell	Farrell	Johnson	Peterson	Stedman
Baker	Fish	Kelly	Phillips	Streifler
Bondy	Fordyce	Kullman	Pierce	Taylor
Brennen J F	Fritz	Litchard	Post	Ten Eyck
Brewster	Gale	Mahar	Redington	Tiffany
Burr	Gallagher	Maloney	Reisert	Tompkins
Cain	Glaser	Martin	Roche	Tremper
Clark A L	Goodsell	Mason	Russell	Tripp
Clark C J	Graney	McEwan	Sanford	Van Rens'aez
Costello	Green	McGuire	Schmid A F	Vincent
Cottle	Griggs	McKeown	Schmid F	Wallace
Cowles	Hachemeis'r	Meyer G W	Schultz	Weill
Cross	Haight	Miller	Schulum	Whipple
Cullen	Hanna	Mitchell	Seligsberg	Williams
DeGraw	Hatch	Mullany	Shoeneck	Witter
Delaney	Hill	Murphy		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 613) entitled "An act to amend chapter 727 of the Laws of 1869, entitled 'An act authorizing cities and villages to acquire title to property for burial purposes and to levy taxes for the payment of the same,' as amended by chapter 760 of the Laws of 1870, in relation to the rights of lot holders." (Rec. No. 150.)

On motion of Mr. Hoes, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Harburger	Murphy	Smith E LaG
Addis	DeGraw	Hays	Myers J C	Stedman
Adler	Delaney	Hoes	Nixon	Stoneman
Allds	Donnelly	Holbert	Oliver	Streifler
Axtell	Dutton	Ives	Paris	Sullivan
Baker	Eldridge	Johnson	Perkins	Taylor
Boland	Ellis	Kelly	Peterson	Tiffany
Brennan E C	Farrell	Kullman	Pickett	Tompkins
Brewster	Finn	Laimbeer	Post	Tremper
Brown	Fish	Mahar	Raplee	Tripp
Cain	Fordyce	Maloney	Reisert	Van Rens'aer
Clark A L	Fritz	Marshall	Russell	Vincent
Clark C J	Fuller	Mason	Sage	Vroman
Collins	Gallagher	McEwan	Schmid A F	Weekes
Costello	Glaser	McGuire	Schulum	Weill
Cottle	Graney	McLaughlin	Seligsberg	Wicke
Coughtry	Green	Miles	Shoeneck	Williams
Cowles	Griggs	Miller	Simmons	Wright
Crabtree	Hachemeis'r	Mohring	Sinsheimer	Zimmerman
Cullen	Haight			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 718) entitled "An act conferring local rank upon the commandant of the New York Soldiers and Sailors' Home of Bath, New York." (Rec. No. 214.)

On motion of Mr. Stedman, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hays	Mitchell	Sinsheimer
Adler	Dutton	Hill	Murphy	Sloan
Allds	Egan	Hoes	Murray	Smith E LaG
Armstrong	Eldridge	Holbert	Nixon	Stoneman
Axtell	Ellis	Hubbard	O'Connor	Streifler
Baker	Evarts	Ives	Palmer	Sullivan
Boland	Farrell	Johnson	Paris	Ten Eyck
Bondy	Finn	Kavanaugh	Perkins	Tiffany
Brennen J F	Fish	Kelly	Phillips	Trainor
Brown	Fitzgerald	Kelsey	Pickett	Tremper
Cain	Fordyce	Kullman	Pierce	Tripp
Chandler	Fritz	Laimbeer	Post	Van Hoesen
Clark A L	Gale	Litchard	Reisert	Vincent
Clark C J	Gibney	Lowenthal	Roche	Vroman
Collins	Goodsell	Mahar	Russell	Wallace
Costello	Graney	Maloney	Sage	Weekes
Cottle	Greenwood	Marshall	Sanford	Weill
Cowles	Griggs	Mason	Schmid A F	Wicke
Cross	Guider	McEwan	Schultz	Williams
Cullen	Hachemeis'r	McKeown	Schulum	Witter
Dale	Haight	Meyer G W	Seligsberg	Wright
DeGraw	Harburger	Miles	Simmons	Zimmerman
Dillon				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 476) entitled "An act to exempt the real estate of The Young Men's Hebrew Association from taxation, assessments and water rates." (Rec. No. 169.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	Mohring	Sloan
Addis	Dillon	Hays	Mullany	Smith E LaG
Adler	Dutton	Hoes	Murphy	Stedman
Allds	Egan	Hoffman	Myers J C	Stoneman
Armstrong	Ellis	Holbert	O'Connor	Streifler
Baker	Evarts	Hutton	Palmer	Taylor
Boland	Farrell	Kavanaugh	Paris	Tiffany
Brennan E C	Fish	Kelly	Perkins	Trainor
Brennen J F	Fitzgerald	Kullman	Phillips	Tremper
Brown	Fordyce	Laimbeer	Pickett	Van Hoesen
Burr	Fuller	Lowenthal	Post	Van Rens'aer
Cain	Gale	Mahar	Redington	Vincent
Clark A L	Gallagher	Maloney	Reisert	Vroman
Clark C J	Glaser	Marshall	Russell	Weekes
Costello	Graney	Mason	Sage	Weill
Cottle	Green	Matteson	Schmid A F	Whipple
Cowles	Greenwood	McEwan	Schmid F	Wicke
Crabtree	Griggs	McKeown	Schultz	Witter
Cross	Hachemeis'r	McLaughlin	Schulum	Wright
Cullen	Haight	Miles	Seligsberg	Zimmerman
Davis	Hanna	Miller	Simmons	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 571) entitled "An act to amend subdivision 206-p of section 1 of chapter 180 of the Laws of 1895, entitled 'An act to amend title 8 of chapter 182 of the Laws of 1892, entitled An act to incorporate the city of Mount Vernon, so far as it relates to the police department of said city.'" (Rec. No. 225.)

On motion of Mr. Graney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hays	Mitchell	Schulum
Addis	Eldridge	Hoffman	Mohring	Sears
Adler	Ellis	Holbert	Murphy	Shoeneck
Armstrong	Evarts	Hutton	Murray	Sinsheimer
Baker	Farrell	Ives	Myers J C	Sloan
Bondy	Fish	Johnson	O'Connor	Stoneman
Brennan E C	Fordyce	Kelly	Oliver	Streifer
Brewster	Fritz	Kelsey	Palmer	Taylor
Brown	Gale	Kullman	Paris	Tompkins
Burr	Gallagher	Laimbeer	Patton	Trainor
Chanler	Gibney	Lowenthal	Perkins	Tripp
Clark A L	Glaser	Mahar	Phillips	Van Rens'aer
Clark C J	Goodsell	Maloney	Pierce	Vincent
Collins	Graney	Martin	Post	Vroman
Costello	Green	Mason	Redington	Wallace
Coughtry	Greenwood	Matteson	Reisert	Weekes
Crabtree	Guider	McEwan	Roche	Weill
Cross	Hachemeis'r	McKeown	Sage	Wicke
Dale	Haight	McLaughlin	Sanford	Williams
Davis	Harburger	Meyer G W	Schmid, F	Wright
Delaney	Hatch	Miller	Schultz	Zimmerman
Donnelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 570) entitled "An act to amend chapter 163 of the Laws of 1873, entitled 'An act to organize and establish a police department for the city of Yonkers,' and the acts amendatory thereof." (Rec. No. 235.)

On motion of Mr. Graney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hoes	Myers J C	Stoneman
Addis	Delaney	Holbert	O'Connor	Streifler
Adler	Dillon	Hubbard	Oliver	Taylor
Allds	Dutton	Hutton	Palmer	Ten Eyck
Axtell	Egan	Johnson	Paris	Tiffany
Baker	Ellis	Kavanaugh	Perkins	Tompkins
Bondy	Farrell	Kelsey	Peterson	Trainor
Brennan E C	Finn	Kullman	Pickett	Tremper
Brennen J F	Fitzgerald	Litchard	Pierce	Tripp
Brewster	Fordyce	Lowenthal	Raplee	Van Hoesen
Burr	Fritz	Mahar	Reisert	Van Rens'aer
Cain	Fuller	Maloney	Russell	Vincent
Chanler	Gallagher	Martin	Sage	Vroman
Clark A L	Gibney	Matteson	Schmid A F	Weekes
Clark C J	Graney	McEwan	Schmid F	Weill
Costello	Greenwood	McGuire	Sears	Whipple
Cottle	Griggs	McLaughlin	Seligsberg	Wicke
Coughtry	Hachemeis'r	Meyer G W	Shoeneck	Williams
Crabtree	Haight	Miles	Simmons	Witter
Cross	Hanna	Mitchell	Sinsheimer	Wright
Cullen	Hatch	Mullany	Sloan	Zimmerman
Dale	Hill	Murray	Smith E LaG	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 863) entitled "An act to provide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens thereon in the county of Westchester." (Rec. No. 264.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hill	Murphy	Simmons
Addis	Eagan	Hoffman	Myers J C	Sinsheimer
Adler	Eldridge	Holbert	O'Connor	Smith E LeG
Armstrong	Ellis	Hubbard	Oliver	Stedman
Baker	Farrell	Ives	Palmer	Stoneman
Bondy	Finn	Johnson	Paris	Sullivan
Brennan E C	Fish	Kelly	Patton	Taylor
Brewster	Fitzgerald	Kelsey	Peterson	Tiffany
Burr	Fritz	Laimbeer	Phillips	Tompkins
Cain	Gale	Litchard	Pickett	Tremper
Clark A L	Gallagher	Mahar	Pierce	Van Hoesen
Collins	Gibney	Maloney	Raplee	Van Rens'aer
Costello	Goodsell	Martin	Redington	Vroman
Coughtry	Graney	Mason	Reisert	Weekes
Cowles	Green	Matteson	Russell	Weill
Crabtree	Greenwood	McGuire	Sage	Whipple
Cross	Guider	McLaughlin	Schmid A F	Wicke
Dale	Haight	Miles	Schmid F	Williams
DeGraw	Hanna	Miller	Schultz	Witter
Delaney	Harburger	Mohring	Schulum	Wright
Dillon	Hays	Mullany	Seligsberg	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1069) entitled "An act to locate and establish the boundaries of Union free school district No. 7 in the town of Cortlandt." (Rec. No. 325.)

On motion of Mr. Graney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Ellis	Hoffman	Murray	Sinsheimer
Addis	Evarts	Holbert	Nixon	Smith, E La G
Adler	Fish	Hubbard	O'Connor	Stedman
Armstrong	Fordyce	Hutton	Palmer	Streifler
Baker	Fritz	Ives	Paris	Sullivan
Bondy	Gale	Kelsey	Perkins	Ten Eyck
Brennen J F	Gallagher	Kullman	Phillips	Tiffany
Brewster	Glaser	Laimbeer	Pickett	Tompkins
Burr	Goodsell	Litchard	Post	Tremper
Chanler	Graney	Maloney	Redington	Tripp
Clark C J	Green	Marshall	Reisert	Van Hoesen
Collins	Greenwood	Martin	Russell	Van Rens' aer
Cottle	Griggs	Matteson	Sage	Vincent
Cowles	Guider	McEwan	Sanford	Vroman
Cross	Hachemeis'r	McKeown	Schmid A F	Wallace
Cullen	Haight	McLaughlin	Schultz	Weekes
Davis	Hanna	Miles	Schulum	Whipple
Delaney	Harburger	Miller	Schmid F	Wicke
Dillon	Hays	Mitchell	Seligsberg	Williams
Dutton	Hill	Mohring	Shoeneck	Witter
Egan	Hoes	Murphy	Simmons	Zimmerman
Eldridge				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1031) entitled "An act for the relief of certain firemen in the city of Rochester." (Rec. No. 337.)

On motion of Mr. Perkins, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hill	Miles	Shoeneck
Addis	Donnelly	Hoes	Miller	Simmons
Adler	Dutton	Hoffman	Mitchell	Sinsheimer
Allds	Egan	Holbert	Mohring	Smith E La G
Armstrong	Eldridge	Ives	Mullany	Stedman
Axtell	Ellis	Johnson	Murphy	Stoneman
Baker	Evarts	Kavanaugh	Murray	Streifler
Boland	Farrell	Kelly	Myers J C	Sullivan
Bondy	Finn	Kelsey	Nixon	Taylor
Brennan EC	Fish	Kullman	O'Connor	Ten Eyck
Brennen J F	Fitzgerald	Laimbeer	Oliver	Tiffany
Brewster	Fordyce	Litchard	Palmer	Tompkins
Brown	Fritz	Lowenthal	Paris	Van Hoesen
Burr	Fuller	Mahar	Patton	Van Rens'aer
Cain	Gale	Maloney	Perkins	Vincent
Chanler	Gallagher	Marshall	Peterson	Vroman
Clark A L	Gibney	Martin	Redington	Wallace
Clark C J	Glaser	Mason	Sage	Weekes
Collins	Goodsell	Matteson	Sanford	Weill
Costello	Graney	McEwan	Schmid A F	Whipple
Cottle	Green	McGuire	Schmid F	Wicke
Coughtry	Greenwood	McKeown	Schulum	Williams
Cowles	Hatch	McLaughlin	Sears	Witter
Crabtree	Hays	Meyer G W	Seligberg	Wright
Cross				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 524) entitled "An act to amend section 2326 of the Code of Civil Procedure, relative to the appointment of a foreign committee of the person and property of a lunatic, idiot or habitual drunkard." (Rec. No. 127.)

On motion of Mr. Simmons, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hatch	Miller	Seligberg
Addis	Delaney	Hays	Mitchell	Shoeneck
Adler	Dillon	Hill	Mohring	Simmons
Allds	Eldridge	Hoes	Mullany	Sinsheimer
Armstrong	Ellis	Hoffman	Murphy	Sloan
Axtell	Evarts	Hutton	Murray	Smith E LaG
Baker	Farrell	Ives	Oliver	Stedman
Boland	Finn	Johnson	Palmer	Stoneman
Bondy	Fish	Kavanaugh	Paris	Streifer
Brennan EC	Fitzgerald	Laimbeer	Patton	Sullivan
Brennen J F	Fordyce	Litchard	Perkins	Taylor
Brewster	Fritz	Lowenthal	Peterson	TenEyck
Clark A L	Fuller	Mahar	Phillips	Trainor
Clark C J	Gale	Maloney	Pickett	Tremper
Collins	Gallagher	Marshall	Pierce	Tripp
Costello	Graney	Martin	Post	Van Hoesen
Cottle	Green	Mason	Raplee	Van Rens'aer
Coughtry	Greenwood	Matteson	Redington	Vroman
Cowles	Griggs	McEwan	Sanford	Wallace

Crabtree	Guider	McGuire	Schmid A F	Weekes
Cross	Hachemeis'r	McKeown	Schmid F	Weill
Cullen	Haight	McLaughlin	Schultz	Whipple
Dale	Hanna	Meyer G W	Schulum	Wicke
Davis	Harburger	Miles	Sears	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1312, Senate reprint No. 960) entitled "An act to prevent the application of poison to fruit trees while in blossom" (Int. No. 551), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 5, strike out the words "except in Livingston county."

Section 2, strike out the word "immediately" and insert the words "July first, eighteen hundred and ninety-eight."

Mr. Simmons moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hutton	Myers J C	Simmons
Addis	Dutton	Ives	Nixon	Sinsheimer
Adler	Egan	Kelsey	O'Connor	Sloan
Allds	Eldridge	Kullman	Oliver	Smith E LaG
Armstrong	Ellis	Laimbeer	Palmer	Stedman
Axtell	Evarts	Litchard	Paris	Stoneman
Baker	Farrell	Lowenthal	Patton	Streifler
Boland	Gibney	Mahar	Perkins	Trainor
Bondy	Glaser	Maloney	Peterson	Tremper
Brennan E C	Goodsell	Marshall	Phillips	Tripp
Brennen J F	Graney	Martin	Pickett	Van Hoesen
Brewster	Green	Mason	Pierce	Van Rensselaer

Brown	Greenwood	Matteson	Post	Vincent
Burr	Hachemeis'r	McEwan	Russell	Vroman
Cottle	Haight	McGuire	Sage	Wallace
Coughtry	Hanna	McKeown	Sanford	Weekes
Cowles	Harburger	Meyer G W	Schmid A F	Weill
Crabtree	Hatch	Miles	Schmid F	Whipple
Cross	Hays	Miller	Schultz	Wicke
Cullen	Hill	Mitchell	Schulum	Williams
Dale	Hoes	Mohring	Sears	Witter
Davis	Hoffman	Mullany	Seligsberg	Wright
Delaney	Holbert	Murphy	Shoeneck	Zimmerman
Dillon	Hubbard	Murray		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

Mr. Allds offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1179) entitled "An act in relation to the New York State Woman's Relief Corps Home, and making an appropriation therefor" (Int. No. 975), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution ordering returned to the Governor Assembly bill (No. 1179) entitled "An act in relation to the New York State Woman's Relief Corps Home and making an appropriation therefor" (Int. No. 975), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Wallace offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly, of Assembly bill (No. 911) entitled "An act to protect navigation in certain tide waters within the State of New York" (Int. No. 164), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 911) entitled "An act to protect navigation in certain tide-waters within the State of New York" (Int. No. 164), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

"An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture." (No. 1686, Int. No. 1272.)

"An act making appropriation for the relief of indigent soldiers, sailors, marines and the families of those deceased." (No. 780, Int. No. 695.)

"An act to amend chapter 820 of the Laws of 1896, entitled 'An act authorizing boards of supervisors to appoint commissioners for the equalization of taxes,' in relation to the examination of assessment-rolls." (No. 590, Int. No. 545.)

"An act to validate, legalize and confirm an act of the board of supervisors of the county of Oswego, entitled 'An act to incorporate the Daysville Cemetery Association, in the town of Richland, Oswego county, New York,' passed December 17, 1897, the election of trustees and the acts of the Daysville Cemetery Association thereunder, and of its trustees and officers, and to continue the corporate existence of said association." (No. 498, Int. No. 467.)

"An act to amend chapter 172 of the Laws of 1890, relating to the Brooklyn Institute of Arts and Sciences." (No. 945, Int. No. 494.)

"An act providing for horticultural investigations, experiments, instruction and information, and for the dissemination of horticultural knowledge in the second judicial department, at the

agricultural station at Geneva, in the county of Ontario, and making an appropriation therefor." (No. 822, Int. No. 728.)

"An act to amend section 115 of chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' relative to law books and safes." (No. 664, Int. No. 292.)

"An act to regulate the appointment and terms of office of commissioners of deeds in the cities of this State, situated in counties having a population of not less than 300,000, and not more than 550,000, according to the last State or federal enumeration." (No. 1025, Int. No. 653.)

"An act to make the office of sheriff of Chenango county a salaried office and to regulate the management thereof." (No. 1423, Int. No. 838.)

"An act to amend the State Charities Law, relative to the appointment of managers of the State Industrial School, at Rochester." (No. 1219, Int. No. 1002.)

"An act to consolidate into one corporation the various bodies that have heretofore owned and managed the existing cemetery in Cuba village, Allegany county, New York, and to define its powers, privileges and property." (No. 1213, Int. No. 996.)

"An act to amend chapter 105 of the Laws of 1891, relating to the vacations and leave of absence of firemen." (No. 1224, Int. No. 484.)

"An act to amend chapter 5 of the Laws of 1889, entitled 'An act to create the Mount McGregor Memorial Association,' and the act amendatory thereof." (No. 1061, Int. No. 893.)

"An act to authorize the appointment of a commission to inquire into the condition of the commerce of New York and suggest legislation thereon." (No. 1375, Int. No. 1089.)

"An act to make the office of the sheriff of Steuben county a salaried one, in part, and to regulate the management thereof." (No. 1578, Int. No. 1141.)

"An act to confer jurisdiction on the Court of Claims to hear and determine the claim of Lelia E. Marsh against the State, and to make an award therefor." (No. 1429, Int. No. 811.)

"An act conferring jurisdiction upon the State Court of Claims to hear, audit and determine the claims of the several counties for the value of county insane asylums." (No. 1416, Int. No. 793.)

"An act to amend the Fisheries, Game and Forest Law, and the act amendatory thereof, in relation to fishing through the ice in certain lakes." (No. 1016, Int. No. 65.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Alabama, in the county of Genesee, against the State for damages alleged to have been sustained by said town, and render judgment therefor." (No. 1536, Int. No. 1174.)

"An act to amend chapter 667 of the Laws of 1868, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point,' and to repeal section 6 thereof." (No. 1572, Int. No. 1134.)

"An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof." (No. 1506, Int. No. 152.)

"An act making an appropriation for repairing and protecting by restraining wall or otherwise the banks and beds of the Oriskany creek feeder within the town of Kirkland, Oneida county, New York." (No. 1491, Int. No. 605.)

"An act to amend chapter 126 of the Laws of 1824, entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York.'" (No. 1070, Int. No. 902.)

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof.'" (No. 1553, Int. No. 1191.)

"An act to amend the Village Law, in relation to the population requisite to incorporate." (No. 1267, Int. No. 1022.)

"An act making an appropriation for deficiency in appropriation for the legislative printing of the State." (No. 1028, Int. No. 884.)

“An act to provide for the support and maintenance of the several State prisons and for clerk hire, postage and incidental office expenses of the superintendent of state prisons.” (No. 450, Int. No. 431.)

“An act relating to an appropriation for continuing work on the capitol.” (No. 1261, Int. No. 1016.)

“An act to amend the Fisheries, Game and Forest Law, in regard to the length of land-locked salmon and lake trout that may be caught or had in possession.” (No. 989, Int. No. 845.)

“An act to amend the Code of Civil Procedure, relative to the succession to personal property.” (No. 1069, Int. No. 901.)

“An act to amend the Fisheries, Game and Forest Law, by prohibiting fishing in Lawrence brook, in the towns of Moira and Dickinson, Franklin county, for a period of five years.” (No. 1564, Int. No. 1205.)

“An act to authorize and direct the town clerks of the several towns of Westchester county, in which there is no historical society, to deliver certain books, maps and documents to the Historical Society of Westchester County.” (No. 1480, Int. No. 1167.)

“An act to amend section 6 of chapter 43 of the Laws of 1829, entitled ‘An act to incorporate the Albany Institute.’” (No. 344, Int. No. 339.)

“An act to amend chapter 338 of the Laws of 1893, entitled ‘An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,’ relative to branding cheese.” (No. 1369, Int. No. 809.)

“An act to enable the board of trustees of the village of Marathon, in the county of Cortland, to borrow money and to issue bonds for the completion of water works.” (No. 1587, Int. No. 1213.)

“An act to provide for the holding of town meetings and elections in counties of the State having a certain population.” (No. 1548, Int. No. 1186.)

“An act to amend chapter 568 of the Laws of 1890, entitled ‘An act in relation to highways, constituting chapter 19 of the general

laws,' and the acts amendatory thereof, in reference to county roads." (No. 1408, Int. No. 396.)

"An act to amend section 41 of the Penal Code of the State of New York, relating to political caucuses, primary elections, conventions and enrollments." (No. 1716, Int. No. 1293.)

"An act to provide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens thereon in the county of Westchester." (No. 1481, Int. No. 1168.)

"An act to amend the Benevolent Orders Law, relative to trustees." (No. 1409, Int. No. 968.)

"An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the acts amendatory thereof." (No. 1469, Int. No. 1151.)

"An act to amend the Benevolent Orders Law, relating to the election of trustees of benevolent and fraternal orders or societies and the consolidation of such orders or societies." (No. 1014, Int. No. 871.)

"An act to amend section 51 of chapter 414 of the Laws of 1897, entitled 'An act relating to villages, constituting chapter 21 of the general laws.'" (No. 1232, Int. No. 751.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to amend the Fisheries, Game and Forest Law, relating to taking sturgeon with set lines in parts of the waters of the Thousand Islands." (No. 543, Assembly reprint No. 1736; Rec. No. 89.)

"An act to amend the Game Law." (No. 621, Assembly reprint No. 1719; Rec. No. 128.)

"An act to amend the Code of Criminal Procedure, relative to proceedings respecting the support of poor persons." (No. 675, Assembly reprint No. 1720; Rec. No. 182.)

“An act to amend the Public Officers Law.” (No. 479, Assembly reprint No. 1714; Rec. No. 194.)

“An act to make the office of coroner within the county of Ulster a salaried office, and to regulate the management of said office.” (No. 563, Assembly reprint No. 1721; Rec. No. 178.)

“An act amending the Fisheries, Game and Forest Law, and the act amendatory thereof, in relation to certain fish that may be caught through the ice in lakes and waters named.” (No. 204, Assembly reprint No. 1711; Rec. No. 49.)

“An act to amend chapter 355 of the Laws of 1895, entitled ‘An act to incorporate the Children’s Aid Society of Rochester.’” (No. 234 Assembly reprint No. 1751; Rec. No. 26.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

“An act to legalize and confirm the transfer and assignment of persons serving as clerks or employes in the several municipal and public corporations consolidated by the Greater New York charter, and to provide for their compensation.” (No. 807, Int. No. 717.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of The City of New York.

“An act to amend chapter 18 of the Laws of 1862, entitled ‘An act to revise the charter of the city of Utica,’ and the several acts amendatory thereof, relative to street cleaning and local assessments therein.” (No. 1391, Int. No. 1088.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

“An act releasing certain real estate of the ‘Union Methodist Episcopal Church,’ in The City of New York, from the taxes for the year 1894.” (No. 827, Int. No. 733.)

“An act to amend chapter 583 of the Laws of 1888, entitled ‘An act to revise and combine in a single act all existing special and local laws affecting public interests of the city of Brooklyn,’ as amended by chapter 481 of the Laws of 1894, and chapter 539 of

the Laws of 1895, and chapter 643 of the Laws of 1896, and chapter 531 of the Laws of 1897, relating to the fire limits of the city of Brooklyn." (No. 1342, Int. No. 1062.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of The City of New York.

"An act authorizing the city of Rensselaer to use certain lands for park purpose." (No. 1778, Int. No. 1311.)

"An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer.'" (No. 1661, Int. No. 1100.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Rensselaer.

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in The City of New York,' as amended by chapter 757 of the Laws of 1894, relating to clerks and interpreters of courts." (No. 896, Int. No. 780.)

"An act to enable the fire commissioner of The City of New York to rehear and determine the charges against James P. Reilly, a fireman of the first grade, for reinstatement in said department." (No. 225, Int. No. 225.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of The City of New York.

"An act to amend chapter 286, Laws of 1871, entitled 'An act to amend an act entitled An act to incorporate the Orphan Asylum Society in the city of Utica, passed March 26, 1856.'" (No. 1571, Int. No. 1077.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

"An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to the compensation of the captain of the night-watch of the police force of said city." (No. 1243, Int. No. 785.)

"An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation

to the city of Syracuse, and to revise and amend the charter of said city.' ” (No. 1419, Int. No. 48.)

“An act to amend chapter 26 of the Laws of 1885, entitled ‘An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city.’ ” (No. 1280, Int. No. 617.)

“An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of constructing a steel girder bridge, abutments and necessary approaches over the Erie canal, at the foot of Westcott street, in the city of Syracuse.” (No. 1109, Int. No. 924.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Syracuse.

“An act in relation to the house of worship of a religious corporation known as the The Congregation Mishkan Israel Anshe Suwalker in The City of New York.” (No. 1534, Int. No. 1172.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of The City of New York.

Mr. Ellis, from the committee on engrossed bills, reported the following bills as correctly printed or engrossed:

“An act to amend section 1012 of the Code of Civil Procedure relating to the appointment of a referee.” (No. 1830, Int. No. 154.)

“An act to amend chapter 413 of the Laws of 1897, entitled ‘An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law,’ in reference to the education fund.” (No. 1856, Int. No. 417.)

“An act to amend the Railroad Law, relative to use of sand upon tracks.” (No. 1828, Int. No. 524.)

“An act to amend section 11 of chapter 909 of the Laws of 1896, known as the Election Law, constituting chapter 6 of the general laws, as amended by chapter 410 of the Laws of 1897, relating to election officers.” (No. 1857, Int. No. 1079.)

“An act to amend chapter 415 of the Laws of 1897, entitled ‘An act in relation to labor, and constituting chapter 32 of the general laws, by amending sections 2, 61, 110 and 113 thereof, and by adding thereto new sections to be entitled sections 116 and 117.’ ” (No. 1833, Int. No. 998.)

Mr. Witter gave notice that he requests that bill (No. 1832) entitled "An act to legalize and confirm the official acts of John W. McCarty as a notary public in and for the county of Tioga " (Int. No. 1353), be referred to the committee on rules, to be made a special order.

Mr. Nixon gave notice that he requests that the bill (No. 1855) entitled "An act to amend chapter 15 of the Laws of 1898, entitled 'An act to provide for the appointment of a canal investigating commission, and making an appropriation therefor,' in relation to the report of such commission " (Int. No. 1360), be referred to the committee on rules, to be made a special order.

Mr. Tripp gave notice that he requests that the bill (No. 1860) entitled "An act authorizing the commissioners of the sinking fund of the city of Poughkeepsie to issue bonds at a reduced rate of interest in exchange for existing bonds heretofore issued by the city of Poughkeepsie " (Int. No. 1362), be referred to the committee on rules, to be made a special order.

Mr. Martin gave notice that he requests that the bill (No. 1830) entitled "An act to amend section 1012 of the Code of Civil Procedure relating to the appointment of a referee " (Int. No. 154), be referred to the committee on rules, to be made a special order.

Mr. E. C. Brennan gave notice that he requests that Senate bill (No. 1583) entitled "An act to provide for the transfer of a certain plot of land in the borough of Brooklyn, City of New York, to the Brooklyn Free Library " (Rec. No. 654), be referred to the committee on rules, to be made a special order.

Mr. Tremper gave notice that he requests that Senate bill (No. 795) entitled "An act to authorize and empower receivers of corporations appointed by a judgment or order in an action or special proceeding to sell the property of the corporation at private sale " (Rec. No. 260), be referred to the committee on rules, to be made a special order.

Mr. Vroman gave notice that he requests that Senate bill (No. 1000) entitled "An act to release the interest of the State of New York in certain real estate in The City of New York to Robert L.

T. Irvin, Mary I. Smith and Ethel Irvin " (Rec. No. 354), be referred to the committee on rules, to be made a special order.

Mr. Trainor gave notice that he requests that Senate bill (No. 700) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, and part of the county of Queens, and to provide for the government thereof,' relative to leases for public purposes " (Rec. No. 282), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests that Senate bill (No. 943) entitled "An act to amend section 9 of chapter 354 of the Laws of 1884, entitled 'An act to provide for the care, transportation and commitment and the payment therefor of lunatics, idiots, persons of unsound mind, deaf-mutes, orphans and paupers, the expense of whose maintenance and transportation is a charge upon the county of Albany, and to define the duties of the superintendent of the almshouse in the city of Albany " (Rec. No. 335), be referred to the committee on rules, to be made a special order.

Mr. Ives gave notice that he requests that Senate bill (No. 898) entitled "An act to amend section 1310 of the Code of Civil Procedure, relating to stay of proceedings pending appeal " (Rec. No. 287), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests that Senate bill (No. 1081) entitled "An act in relation to Clinton avenue, in the borough of Brooklyn, in The City of New York " (Rec. No. 343), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests that Senate bill (No. 673) entitled "An act to enable the city of Albany to pay sundry debts for printing and advertising " (Rec. No. 271), be referred to the committee on rules, to be made a special order.

Mr. Ives gave notice that he requests that Senate bill (No. 1079) entitled "An act to amend chapter 335 of the Laws of 1868, enti-

tled 'An act to incorporate the city of Ogdensburg,' and the acts amending the same" (Rec. No. 346), be referred to the committee on rules, to be made a special order.

Mr. Axtell gave notice that he requests that Senate bill (No. 982) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Sarah M. Holcomb against the State for damages alleged to have been sustained by her and to render judgment therefor" (Rec. No. 330), be referred to the committee on rules, to be made a special order.

Mr. Fordyce gave notice that he requests that Senate bill (No. 498) entitled "An act making an appropriation for repairing and completing the State armory at Auburn, and appointing a commission therefor" (Rec. No. 363), be referred to the committee on rules, to be made a special order.

Mr. Allds gave notice that he requests that Senate bill (No. 1063) entitled "An act to authorize executors and trustees, subject to the approval of the Supreme Court, to acquire or exchange lands for the purpose of straightening or improving boundary lines of real property" (Rec. No. 333), be referred to the committee on rules, to be made a special order.

Mr. Williams gave notice that he requests that Senate bill (No. 827) entitled "An act to amend the Labor Law, relating to the designation of deputy factory inspectors for the enforcement of provisions of such law concerning the employment of labor on public works" (Rec. No. 351), be referred to the committee on rules, to be made a special order.

Mr. Marshall gave notice that he requests that Senate bill (No. 817) entitled "An act to amend section 15 of the General Corporation Law, relating to a certificate of authority of a foreign corporation" (Rec. No. 231), be referred to the committee on rules, to be made a special order.

Mr. Tremper gave notice that he requests that Senate bill (No. 873) entitled "An act to legalize and confirm the official acts of Eldorous Dayton, a notary public in and for Ulster county" (Rec. No. 280), be referred to the committee on rules, to be made a special order.

Mr. Tremper gave notice that he requests that Senate bill (No. 716) entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' and the acts amendatory thereof" (Rec. No. 223), be referred to the committee on rules, to be made a special order.

Mr. Marshall gave notice that he requests that Senate bill (No. 487) entitled "An act to amend subdivision 1 of section 1367 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' relating to appeals from municipal courts therein" (Rec. No. 269), be referred to the committee on rules, to be made a special order.

Mr. Perkins gave notice that he requests that Senate bill (No. 1052) entitled "An act to regulate the use of bicycles, and to prevent discrimination in ordinances affecting the same" (Rec. No. 338), be referred to the committee on rules, to be made a special order.

Mr. Marshall gave notice that he requests that Senate bill (No. 916) entitled "An act to provide in and for the county of Kings an additional court, not of record, for the trial of minor felonies" (Rec. No. 268), be referred to the committee on rules, to be made a special order.

On motion of Mr. Nixon, the House adjourned.

MONDAY EVENING, MARCH 28, 1898.

The House met pursuant to adjournment.

Prayer by Rev. Chas. Alex. Richmond.

On motion of Mr. Lowenthal, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker, from the committee on rules, to which were re-

ferred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third readings immediately:

"An act to legalize and confirm the official acts of John W. McCarty as a notary public in and for the county of Tioga." (No. 1832, Int. No. 1353.)

"An act to amend chapter 15 of the Laws of 1898, entitled 'An act to provide for the appointment of a canal investigating commission, and making an appropriation therefor,' in relation to the report of such commission." (No. 1855, Int. No. 1360.)

"An act authorizing the commissioners of the sinking fund of the city of Poughkeepsie to issue bonds at a reduced rate of interest in exchange for existing bonds heretofore issued by the city of Poughkeepsie." (No. 1860, Int. No. 1362.)

"An act to amend section 1012 of the Code of Civil Procedure, relating to the appointment of a referee." (No. 1830, Int. No. 154.)

Senate, "An act to provide for the transfer of a certain plot of land in the borough of Brooklyn, City of New York, to the Brooklyn Free Library." (No. 1583, Rec. No. 654.)

Senate, "An act to authorize and empower receivers of corporations appointed by a judgment or order in an action or special proceeding to sell the property of the corporation at private sale." (No. 795, Rec. No. 260.)

Senate, "An act to release the interest of the State of New York in certain real estate in The City of New York to Robert L. T. Irvin, Mary I. Smith and Ethel Irvin." (No. 1000, Rec. No. 354.)

Senate, "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, and part of the county of Queens, and to provide for the government thereof,' relative to leases for public purposes." (No. 700, Rec. No. 282.)

Senate, "An act to amend section 9 of chapter 354 of the Laws of 1884, entitled 'An act to provide for the care, transportation and commitment and the payment therefor of lunatics, idiots, per-

sons of unsound mind, deaf-mutes, orphans and paupers, the expense of whose maintenance and transportation is a charge upon the county of Albany, and to define the duties of the superintendent of the almshouse in the city of Albany." (No. 943, Rec. No. 335.)

Senate, "An act to amend section 1310 of the Code of Civil Procedure, relating to stay of proceedings pending appeal." (No. 898, Rec. No. 287.)

Senate, "An act in relation to Clinton avenue, in the borough of Brooklyn, in The City of New York." (No. 1081, Rec. No. 343.)

Senate, "An act to enable the city of Albany to pay sundry debts for printing and advertising." (No. 673, Rec. No. 271.)

Senate, "An act to amend chapter 335 of the Laws of 1868, entitled 'An act to incorporate the city of Ogdensburg,' and the acts amending the same." (No. 1079, Rec. No. 346.)

Senate, "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Sarah M. Holcomb against the State for damages alleged to have been sustained by her and to render judgment therefor." (No. 982, Rec. No. 330.)

Senate, "An act making an appropriation for repairing and completing the State armory at Auburn, and appointing a commission therefor." (No. 498, Rec. No. 363.)

Senate, "An act to authorize executors and trustees, subject to the approval of the Supreme Court, to acquire or exchange lands for the purpose of straightening or improving boundary lines of real property." (No. 1063, Rec. No. 333.)

Senate, "An act to amend the Labor Law, relating to the designation of deputy factory inspectors for the enforcement of provisions of such law concerning the employment of labor on public works." (No. 827, Rec. No. 351.)

Senate, "An act to amend section 15 of the General Corporation Law, relating to certificate of authority of a foreign corporation." (No. 817, Rec. No. 231.)

Senate, "An act to legalize and confirm the official acts of Eldorous Dayton, a notary public in and for Ulster county." (No. 873, Rec. No. 280.)

Senate, "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' and the acts amendatory thereof." (No. 716, Rec. No. 223.)

Senate, "An act to amend subdivision 1 of section 1367 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' relating to appeals from municipal courts therein." (No. 487, Rec. No. 269.)

Senate, "An act to regulate the use of bicycles, and to prevent discrimination in ordinances affecting the same." (No. 1052, Rec. No. 338.)

Senate, "An act to provide in and for the county of Kings an additional court, not of record, for the trial of minor felonies." (No. 916, Rec. No. 268.)

Which report was agreed to, and said bills ordered made special orders on second and third readings immediately.

Mr. J. F. Brennen offered, for the consideration of the House, a resolution in the words following:

Resolved, That Ella Smith, the widow of the late Thomas Smith, Member of Assembly from the Fifteenth district, New York county, be allowed to draw his salary for the year 1898.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hays	Murray	Sloan
Addis	Eldridge	Hill	Nixon	Stedman
Adler	Ellis	Hoffman	O'Connor	Stoneman
Allds	Evarts	Hubbard	Oliver	Sullivan
Axtell	Farrell	Hutton	Paris	Taylor
Baker	Fish	Johnson	Patton	Ten Eyck

Bondy	Fitzgerald	Kavanaugh	Perkins	Tompkins
Brennan E C	Fritz	Kelly	Phillips	Trainor
Brewster	Fuller	Kullman	Pickett	Tremper
Brown	Gale	Laimbeer	Pierce	Tripp
Burr	Gibney	Mahar	Post	Van Hoesen
Chanler	Glaser	Maloney	Raplee	Van Rensselaer
Clark C J	Goodsell	Martin	Reisert	Vincent
Costello	Graney	Mason	Roche	Vroman
Coughtry	Green	Matteson	Sage	Wallace
Cowles	Greenwood	McGuire	Sanford	Weekes
Cross	Griggs	McKeown	Schmid F	Weill
Dale	Guider	Meyer G W	Sears	Whipple
Davis	Hachemeis'r	Miller	Seligsberg	Wicke
DeGraw	Haight	Mitchell	Shoeneck	Williams
Dillon	Hanna	Mohring	Simmons	Wright
Donnelly	Hatch	Murphy	Sinsheimer	Zimmerman

Mr. Hill offered, for the consideration of the House, a resolution in the words following:

Whereas, The commercial interests of the United States are suffering from the competition of foreign nations and by reason of a lack of foreign markets for our surplus manufacturing and agricultural products; and

Whereas, It is believed that our foreign commerce may be promoted and new markets opened by a change in the methods of our consular service; and

Whereas, A bill has been introduced in the House of Representatives by Mr. Adams to increase the efficiency of the foreign service of the United States, and to provide for the reorganization of the consular service, being House of Representatives bill No. 4354,

Resolved, If the Senate concur, that our Senators and Representatives in Congress are hereby requested to support such measure or some measure of a similar character, and if possible secure its enactment into law.

Said resolution was referred to the committee on rules.

Mr. Hill offered, for the consideration of the House, a resolution in the words following:

Whereas, At the present session of the Legislature a resolution was adopted urging the President and Congress of the United States to recognize in an appropriate official manner the Pan-American Exposition, which was to have been held on the Niagara Frontier in the year 1899, and to extend to it such substantial aid as might be deemed fitting and proper; and also requesting the United States Senators and Members of the House of Represen-

tatives from the State of New York to aid in the passage by Congress of favorable legislation in behalf of such Pan-American Exposition; and

Whereas, The present unsettled condition of National affairs, on account of the possibilities of war with Spain, renders it expedient to postpone the date of holding such Exposition until the year 1901; therefore, be it

Resolved (if the Senate concur), That the President and Congress of the United State take the same action in regard to such Pan-America Exposition to be held in the year 1901 as heretofore urged for the year 1899; and be it further

Resolved, (if the Senate concur), That the Senators and Members of the House of Representatives from the State of New York, be and are hereby requested to extend the same aid in securing favorable legislation in behalf of such Pan-American Exposition to be held in the year 1901 as was heretofore requested for the year 1899.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Armstrong introduced a bill entitled "An act to legalize, ratify and confirm the election of certain persons as supervisors in the county of Monroe" (Int. No. 1370), which was read the first time and referred to the committee on the judiciary.

The Senate sent for consurrence the following entitled bills:

"An act to release and grant the interest of the people of the State of New York in certain real estate in the borough of Brooklyn, New York City, county of Kings and State of New York, to Nellie McNeill and Georgianna McNeill Griffiths, formerly Georgianna McNeill, their legal representatives and devisees" (No. 1039, Rec. No. 347), which was read the first and referred to the committee on the judiciary.

"An act to provide a clerk for the justice of the Supreme Court residing in Jefferson county" (No. 988, Rec. No. 348), which was read the first time and referred to the committee on ways and means.

"Concurrent resolution of the Senate and Assembly proposing an amendment to article 6, section 7 of the Constitution, relating

to the Court of Appeals " (No. 1024, Rec. 349), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 225 of the Laws of 1896, entitled 'An act in relation to the poor, constituting chapter 27 of the general laws,' in relation to the relief of indigent soldiers, sailors and marines resident in cities of the first class " (No. 1080, Rec. No. 350), which was read the first time and referred to the committee on general laws.

"An act authorizing the State Engineer and Surveyor to continue to co-operate with the director of the United States geological survey in making a topographic survey and map of the State of New York, and making an appropriation therefor " (No. 925, Rec. No. 352), which was read the first time and referred to the committee on ways and means.

"An act to amend the Penal Code, relating to the sale of poisonous substances by druggists and pharmacists upon physicians' prescriptions " (No. 1025, Rec. No. 355), which was read the first time and referred to the committee on codes.

"An act to amend chapter 671 of the Laws of 1897, entitled 'An act to authorize the board of estimate and apportionment of The City of New York to examine the claim of Mary E. Ward, surviving partner of the firm of Warren Ward & Co., for extra work done in the enlargement and equipment of the Metropolitan Museum of Art ' " (No. 872, Rec. No. 356), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the board of estimate and apportionment of The City of New York to hear, examine and audit the claim of Louis W. Briggs for work, labor and service performed and materials furnished for work done on Grammar School No. 85 in The City of New York " (No. 973, Rec. No. 357), which was read the first time and referred to the committee on affairs of cities.

"An act to confirm and legalize certain taxes heretofore levied, or attempted to be levied, in that portion of The City of New York formerly constituting the city of Brooklyn, and in relation to the payment of the same " (No. 906, Rec. No. 358), which was

read the first time and referred to the committee on affairs of cities.

"An act to amend the Railroad Law, in relation to substituted lines in cases of eminent domain" (No. 723, Rec. No. 359), which was read the first time and referred to the committee on railroads.

"An act to amend the Stock Corporation Law, in relation to the alteration or extension of business" (No. 951, Rec. No. 360), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 723 of the Laws of 1895, known as the Religious Corporations Law" (No. 1005, Rec. No. 361), which was read the first time and referred to the committee on charitable and religious societies.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John Moore against the State for damages alleged to have been sustained by him, and to render judgment therefor" (No. 878, Rec. No. 362), which was read the first time and referred to the committee on claims.

"An act to further amend section 1 of chapter 119 of the Laws of 1888, entitled 'An act relating to employes of the various cities and counties of the State'" (No. 1058, Rec. No. 365), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker announced the special order, being the bill (No. 1840) entitled "An act to amend the Greater New York Charter, relating to the distribution of moneys collected on account of taxation of the fire insurance companies in The City of New York." (Int. No. 527.)

On motion of Mr. Gale, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Haight	McLaughlin	Schmid F
Addis	DeGraw	Hanna	Meyer G W	Schulum
Adler	Delaney	Harburger	Miles	Sears
Allds	Dillon	Hatch	Miller	Smith E La G
Armstrong	Donnelly	Hays	Mitchell	Stedman
Baker	Dutton	Hill	Mohring	Stoneman
Boland	Egan	Hoffman	Mullany	Streifler
Bondy	Eldridge	Johnson	Murphy	Sullivan
Brennan E C	Fish	Kavanaugh	Murray	Taylor
Brennen J F	Fitzgerald	Kelly	Myers J C	Ten Eyck
Brewster	Fordyce	Kelsey	Nixon	Tiffany
Brown	Fritz	Kullman	O'Connor	Tompkins
Burr	Fuller	Laimbeer	Oliver	Trainor
Cain	Gale	Litchard	Phillips	Tremper
Chanler	Gallagher	Lowenthal	Pickett	Tripp
Clark A L	Gibney	Mahar	Pierce	Van Hoesen
Clark C J	Glaser	Maloney	Post	Van Rens'aer
Collins	Goodsell	Marshall	Raplee	Vincent
Cottle	Graney	Martin	Redington	Vroman
Coughtry	Green	Mason	Reisert	Wallace
Cowles	Greenwood	Matteson	Roche	Weekes
Crabtree	Griggs	McEwan	Russell	Witter
Cross	Guider	McGuire	Sage	Wright
Cullen	Hachemeis'r	McKeown	Sanford	Zimmerman
Dale			Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1835) entitled "An act to amend section 20 of chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State racing commission,' relating to collection of tax." (Int. No. 1003.)

On motion of Mr. DeGraw, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hays	Mohring	Schulum
Addis	Delaney	Hoes	Mullany	Sears
Adler	Dillon	Hubbard	Murphy	Seligsberg
Allds	Donnelly	Hutton	Murray	Shoeneck
Armstrong	Dutton	Ives	Myers J C	Simmons
Axtell	Egan	Johnson	Nixon	Sinsheimer
Baker	Eldridge	Kavanaugh	O'Connor	Sloan
Boland	Ellis	Kelly	Oliver	Smith E LaG
Bondy	Evarts	Kelsey	Palmer	Stedman
Brennan E O	Fuller	Kullman	Paris	Stoneman
Brennen J F	Gale	Laimbeer	Peterson	Streifler
Brewster	Gallagher	Litchard	Phillips	Sullivan
Brown	Gibney	Lowenthal	Pickett	Taylor
Burr	Glaser	Maher	Pierce	Trainor
Cain	Goodsell	Maloney	Post	Tremper
Chanler	Green	Marshall	Raplee	Tripp
Clark A L	Greenwood	Martin	Redington	Van Hoesen
Clark C J	Griggs	Mason	Reisert	Van Rens'aer
Collins	Guider	Matteson	Roche	Vincent
Crabtree	Hachemeis'r	McEwan	Russell	Vroman
Cross	Haight	McGuire	Sage	Williams
Cullen	Hanna	McKeown	Schmid A F	Witter
Dale	Harburger	McLaughlin	Schmid F	Wright
Davis	Hatch	Mitchell	Schultz	Zimmerman

In the negative
Hill

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1851) entitled "An act to change the name of the 'Brooklyn Throat Hospital.'" (Int. No. 522.)

On motion of Mr. DeGraw, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 60 }

Those who voted in the affirmative, were

Ackert	Dutton	Hill	Mohring	Shoeneck
Addis	Egan	Hoes	Murphy	Sinsheimer
Adler	Eldridge	Hoffman	Murray	Sloan
Allds	Ellis	Holbert	Myers J C	Smith E LaG
Armstrong	Evarts	Hubbard	Nixon	Stedman
Axtell	Farrell	Kavanaugh	O'Connor	Stoneman
Baker	Finn	Kelly	Oliver	Streifler
Boland	Fish	Kelsey	Palmer	Sullivan
Bondy	Fitzgerald	Kullman	Paris	Taylor
Brennan E C	Fordyce	Laimbeer	Patton	Ten Eyck
Brennen J F	Gale	Litchard	Perkins	Tiffany
Brewster	Gallagher	Lowenthal	Peterson	Tremper
Brown	Gibney	Mahar	Phillips	Tripp
Burr	Glaser	Maloney	Pickett	Van Hoesen
Cain	Goodsell	Marshall	Redington	Van Rens'aer
Chanler	Graney	Martin	Reisert	Vincent
Clark A L	Green	Mason	Roche	Vroman
Clark C J	Greenwood	Matteson	Russell	Wallace
Collins	Griggs	McEwan	Sage	Weekes
Costello	Guider	McGuire	Sanford	Weill
Cottle	Hachemeis'r	McKeown	Schmid A F	Whipple
Coughtry	Haight	McLaughlin	Schmid F	Williams
Cowles	Hanna	Miles	Schulum	Witter
Crabtree	Harburger	Miller	Sears	Wright
Cross	Hatch	Mitchell	Seligsberg	Zimmerman
Donnelly	Hays			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1834) entitled "An act in relation to printing in penal institutions in the State." (Int. No. 357.)

On motion of Mr. McEwan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Miller	Schmid F
Addis	Donnelly	Hatch	Mitchell	Schultz
Adler	Dutton	Hays	Mohring	Schulum
Allds	Egan	Hill	Mullany	Sears
Armstrong	Eldridge	Hoffman	Murphy	Seligsberg
Axtell	Ellis	Holbert	Murray	Shoeneck
Baker	Evarts	Hutton	Myers J C	Simmons
Boland	Farrell	Ives	Nixon	Sloan
Brennan E C	Finn	Kavanaugh	O'Connor	Smith E La G
Brewster	Fish	Kelly	Oliver	Stedman
Brown	Fitzgerald	Kelsey	Palmer	Stoneman
Burr	Fordyce	Kullman	Paris	Streifler
Cain	Fritz	Laimbeer	Patton	Sullivan
Chanler	Gallagher	Litchard	Perkins	Taylor
Clark A L	Gibney	Lowenthal	Peterson	Ten Eyck
Clark C J	Glaser	Mahar	Phillips	Tiffany
Collins	Goodsell	Martin	Post	Tompkins
Costello	Graney	Mason	Raplee	Trainor
Cottle	Green	Matteson	Redington	Vincent
Coughtry	Greenwood	McEwan	Reisert	Vroman
Cowles	Griggs	McGuire	Roche	Wallace
Crabtree	Guider	McKeown	Russell	Weekes
Cross	Hachemeis'r	McLaughlin	Sage	Weill
Cullen	Haight	Meyer G W	Sanford	Whipple
Dale	Hanna	Miles	Schmid A F	Williams
Davis				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1844) entitled "An act to authorize and require the town of Cort-

landt, in the county of Westchester, to pay to the village of Croton, on the Hudson, the highway tax to be collected from property within the corporate limits of said village." (Int. No. 1357.)

On motion of Mr. Gibney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hill	Murphy	Shoenek
Addis	DeGraw	Hoes	Murray	Simmons
Adler	Delaney	Hoffman	Myers J C	Sinsheimer
Allds	Dillon	Holbert	Nixon	Sloan
Armstrong	Donnelly	Hubbard	O'Connor	Smith E LaG
Axtell	Dutton	Hutton	Oliver	Streifler
Baker	Egan	Kelly	Palmer	Sullivan
Boland	Eldridge	Kelsey	Paris	Taylor
Bondy	Ellis	Kullman	Patton	Ten Eyck
Brennan E C	Evarts	Laimbeer	Perkins	Tiffany
Brennen J F	Farrell	Litchard	Peterson	Tompkins
Brewster	Fuller	Lowenthal	Phillips	Trainor
Brown	Gale	Mahar	Pickett	Tremper
Burr	Gallagher	Maloney	Pierce	Tripp
Cain	Gibney	Marshall	Redington	Van Hoesen
Chanler	Glaser	Martin	Reisert	Van Rens'aer
Clark A L	Goodsell	Mason	Roche	Vincent
Clark C J	Graney	Marteson	Russell	Vroman
Collins	Green	McEwan	Sage	Wallace
Costello	Greenwood	Meyer G W	Sanford	Wicke
Cottle	Griggs	Miles	Schmid A F	Williams
Coughtry	Guider	Miller	Schmid F	Witter
Cowles	Hachemeis'r	Mitchell	Schultz	Wright
Crabtree	Haight	Mohring	Schulum	Zimmerman
Dale	Hanna	Mullaney	Sears	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1843) entitled "An act to legalize the official acts of Paul D. Ives, Leroy Buckley and Albert J. Lawrence as justices of the peace of the town of Easton, in Washington county, New York, and to authorize them to file proper official bonds of such justices." (Int. No. 1356.)

On motion of Mr. Paris, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hutton	Murphy	Simmons
Addis	Donnelly	Ives	Murray	Sinsheimer
Adler	Dutton	Johnson	Myers J. C	Sloan
Allds	Egan	Kavanaugh	Nixon	Smith E LaG
Armstrong	Eldridge	Kelly	O'Connor	Stedman
Axtell	Ellis	Kelsey	Oliver	Stoneman
Baker	Evarts	Kullman	Palmer	Streifler
Boland	Farrell	Laimbeer	Paris	Sullivan
Bondy	Finn	Litchard	Patton	Taylor
Brennan E C	Fish	Lowenthal	Perkins	Ten Eyck
Brennen J F	Gallagher	Mahar	Peterson	Tiffany
Brewster	Gibney	Maloney	Phillips	Tompkins
Brown	Glaser	Marshall	Pickett	Trainor
Burr	Goodsell	Martin	Raplee	Tremper
Chanler	Graney	Mason	Redington	Tripp
Clark A L	Green	Matteson	Reisert	Vincent
Clark C J	Greenwood	McEwan	Roche	Vroman
Collins	Griggs	McGuire	Russell	Wallace
Costello	Guider	McKeown	Sage	Weekes

Cottle	Hachemeis'r	McLaughlin	Sanford	Weill
Coughtry	Haight	Meyer G W	Schmid A F	Whipple
Cowles	Hanna	Miles	Schmid F	Wicke
Crabtree	Harburger	Miller	Schultz	Williams
Cross	Hatch	Mitchell	Sears	Witter
DeGraw	Hays	Mohring	Seligsberg	Wright
Delaney	Hubbard	Mullany	Shoeneck	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1807) entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' by adding thereto a new title, to be known as title 32." (Int. No. 1333.)

On motion of Mr. Nixon, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129
{ NOES 00 ;

Those who voted in the affirmative, were

Ackert	Dale	Haight	Mitchell	Shoeneck
Addis	Davis	Hanna	Mohring	Simmons
Adler	DeGraw	Hoes	Mullany	Sinsheimer
Allds	Delaney	Hoffman	Murphy	Sloan
Armstrong	Dillon	Holbert	Murray	Smith E LaG
Axtell	Donnelly	Hubbard	Nixon	Stedman
Baker	Dutton	Hutton	O'Connor	Stoneman
Boland	Egan	Ives	Oliver	Streifer
Bondy	Eldridge	Johnson	Palmer	Sullivan
Brennan E	Cellis	Kavanaugh	Paris	Taylor
Brennen J F	Evarts	Kelly	Patton	Ten Eyck
Brewster	Farrell	Kelsey	Perkins	Tiffany
Brown	Finn	Kullman	Peterson	Van Hoesen

Burr	Fish	Mahar	Post	Van Rensselaer
Cain	Fitzgerald	Maloney	Raplee	Vincent
Chanler	Fordyce	Marshall	Redington	Vroman
Clark A L	Fritz	Martin	Reisert	Wallace
Clark C J	Fuller	Mason	Roche	Weekes
Collins	Gale	Matteson	Russell	Weill
Costello	Goodsell	McEwan	Sage	Whipple
Cottle	Graney	McGuire	Sanford	Wicke
Coughtry	Green	McKeown	Schmid A F	Williams
Cowles	Greenwood	McLaughlin	Schultz	Witter
Crabtree	Griggs	Meyer G W	Schulum	Wright
Cross	Guider	Miles	Sears	Zimmerman
Cullen	Hachemeis'r	Miller	Seligsberg	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1804) entitled "An act to amend chapter 145 of the Laws of 1897, entitled 'An act to amend chapter 893 of the Laws of 1896, entitled An act to provide for the appointment of clerks to certain justices of the Supreme Court of the Fifth Judicial District.'" (Int. No. 1330.)

On motion of Mr. Mason, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hays	Miller	Schulum
Addis	DeGraw	Hill	Mitchell	Sears
Adler	Delaney	Hoes	Mohring	Seligsburg
Allds	Donnelly	Hoffman	Mullany	Shoeneck
Armstrong	Dutton	Ives	Murphy	Smith ELA G
Axtell	Egan	Johnson	Murray	Stedman

Baker	Eldridge	Kavanaugh	Myers J C	Stoneman
Boland	Ellis	Kelly	Nixon	Streifer
Bordy	Evarts	Kelsey	O'Connor	Sullivan
Brennan E C	Farrell	Kullman	Oliver	Taylor
Brennen J F	Finn	Laimbeer	Palmer	Ten Eyck
Brewster	Fish	Litchard	Paris	Tiffany
Brown	Fitzgerald	Lowenthal	Patton	Tompkins
Burr	Fordyce	Mahar	Perkins	Trainor
Cain	Fritz	Maloney	Peterson	Tremper
Chanler	Fuller	Marshall	Phillips	Tripp
Clark A L	Gale	Martin	Redington	Van Rens'aer
Clark C J	Green	Mason	Reisert	Vincent
Costello	Greenwood	Matteson	Roche	Vroman
Cottle	Griggs	McEwan	Russell	Wallace
Coughtry	Guider	McGuire	Sage	Weekes
Cowles	Hachemeis'r	McKeown	Sanford	Wicke
Crabtree	Haight	McLaughlin	Schmid A F	Williams
Cross	Hanna	Meyer G W	Schmid F	Witter
Cullen	Harburgher	Miles	Schultz	Wright
Dale	Hatch			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1836) entitled "An act to amend the Penal Code, in reference to the use of non-transferable entrance tickets." (Int. No. 1130.)

Said bill having been announced for a second reading,

On motion of Mr. Nixon, and by unanimous consent, said bill was made a special order on second and third reading for tomorrow, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1837) entitled "An act to amend section 4 and to further amend section 11 of chapter 531 of the Laws of 1869, entitled 'An act to incorporate the village of Chateaugay, in the county of Franklin.'" (Int. No. 1240.)

On motion of Mr. Sears, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 90 }

Those who voted in the affirmative, were

Ackert	Dale	Hays	Mohring	Seligsberg
Addis	Davis	Hill	Mullany	Shoeneck
Adler	DeGraw	Hoes	Murphy	Simmons
Allds	Delaney	Hoffman	Murray	Sinsheimer
Armstrong	Dillon	Holbert	Myers J C	Sloan
Axtell	Donnelly	Hubbard	Nixon	Smith E LaG
Baker	Dutton	Hutton	O'Connor	Stedman
Boland	Egan	Ives	Oliver	Stoneman
Bondy	Eldridge	Johnson	Palmer	Ten Eyck
Brennan E C	Ellis	Kavanaugh	Paris	Tiffany
Brennen J F	Evarts	Lowenthal	Patton	Tompkins
Brewster	Farrell	Mahar	Perkins	Trainor
Brown	Finn	Maloney	Peterson	Tremper
Burr	Fish	Marshall	Phillips	Tripp
Cain	Fitzgerald	Martin	Pickett	Van Hoesen
Chanler	Fordyce	Mason	Pierce	Van Rens'aer
Clark A L	Graney	Matteson	Post	Vincent
Clark C J	Green	McEwan	Raplee	Vroman
Collins	Greenwood	McGuire	Redington	Wallace
Costello	Griggs	McKeown	Schmid A F	Weekes
Cottle	Guider	McLaughlin	Schmid F	Weill
Coughtry	Hachemeis'r	Meyer G W	Schultz	Whipple
Cowles	Haight	Miles	Schulum	Wicke
Cross	Hanna	Miller	Sears	Williams
Cullen	Harburger	Mitchell		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1854) entitled "An act to incorporate the Niagara River Tramway Company." (Int. No. 386.)

Said bill having been announced for a second reading,

On motion of Mr. Hill, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No.

1853) entitled "An act to provide for the completion of the State armory and drill-room, at Walton, New York, and making an appropriation therefor." (Int. No. 1170.)

On motion of Mr. Axtell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mitchell	Sears
Addis	Dillon	Hatch	Mohring	Seligsberg
Adler	Donnelly	Hoes	Mullany	Shoeneck
Allds	Dutton	Hoffman	Murphy	Simmons
Armstrong	Egan	Holbert	Murray	Sinsheimer
Axtell	Eldridge	Hubbard	Whipple	Sloan
Baker	Ellis	Hutton	Nixon	Smith E LaG
Boland	Evarts	Ives	O'Connor	Stedman
Brennan EC	Farrell	Johnson	Oliver	Stoneman
Brennen J F	Finn	Kavanaugh	Palmer	Streifler
Brewster	Fish	Kelsey	Paris	Sullivan
Brown	Fitzgerald	Kullman	Patton	Taylor
Burr	Fordyce	Laimbeer	Perkins	Ten Eyck
Cain	Fritz	Litchard	Peterson	Tremper
Chanler	Fuller	Lowenthal	Pierce	Tripp
Clark A L	Gale	Mahar	Post	Van Hoesen
Clark C J	Gallagher	Maloney	Raplee	Van Rens'laer
Collins	Gibney	Marshall	Redington	Vincent
Costello	Glaser	Martin	Reisert	Vroman
Cottle	Goodsell	Mason	Roche	Wallace
Coughtry	Graney	Matteson	Russell	Weekes
Cowles	Green	McEwan	Sage	Weill
Crabtree	Greenwood	McGuire	Sanford	Whipple
Cross	Griggs	McKeown	Schmid A F	Wicke
Cullen	Guider	McLaughlin	Schmid F	Witter
Dale	Hachemeis'r	Meyer G W	Schultz	Wright
Davis	Haight	Miles	Schulum	Zimmerman
DeGraw	Hanna	Miller		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1852) entitled "An act to provide for the extraordinary repairs and improvement of existing mechanical and other structures and work on and connected with the canals of the State." (Int. No. 611.)

On motion of Mr. Taylor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES. 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Griggs	McLaughlin	Schmid F
Addis	Dale	Guider	Meyer G W	Schultz
Adler	Davis	Hachemeis'r	Miles	Schulum
Allds	DeGraw	Haight	Miller	Sears
Armstrong	Donnelly	Hanna	Mitchell	Seligsberg
Axtell	Dutton	Harburger	Mohring	Simmons
Baker	Egan	Hatch	Mullany	Sinsheimer
Boland	Eldridge	Hays	Murphy	Sloan
Bondy	Ellis	Johnson	Murray	Smith E La G
Brennan E C	Evarts	Kavanaugh	Myers J C	Stedman
Brennen J F	Farrell	Kelly	Nixon	Stoneman
Brewster	Finn	Kelsey	O'Connor	Streifler
Brown	Fish	Kullman	Oliver	Sullivan
Burr	Fitzgerald	Laimbeer	Palmer	Tripp
Cain	Fordyce	Litchard	Paris	Van Hoesen
Chanler	Fritz	Lowenthal	Peterson	Van Rens'aer
Clark A L	Fuller	Mahar	Phillips	Vincent
Clark C J	Gale	Maloney	Raplee	Vroman
Collins	Gallagher	Marshall	Reddington	Wallace
Costello	Gibney	Martin	Reisert	Weekes
Cottle	Glaser	Mason	Roche	Weill

Coughtry	Goodsell	Matteson	Russell	Witter
Cowles	Graney	McEwan	Sage	Wright
Crabtree	Green	McGuire	Sanford	Zimmerman
Cross	Greenwood	McKeown	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1731) entitled "An act to amend chapter 619 of the Laws of 1895, entitled 'An act to authorize the Court of Claims to hear, audit and determine claims for military uniforms and repairs thereto for the National Guard of the State of New York, and to make an award therefor.' " (Int. No. 652.)

Said bill having been announced for a second reading,

On motion of Mr. Adler, said bill was laid aside and stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 1817) entitled "An act to amend chapter 223 of the Laws of 1885, entitled 'An act for the relief of William L. Cole, Thomas F. Meehan and J. M. Meehan.' " (Int. No. 1343.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	Miles	Sanford
Addis	Delaney	Hatch	Miller	Schmid A F
Adler	Dillon	Hays	Mitchell	Schmid F
Allds	Donnelly	Hill	Mohring	Schultz
Armstrong	Dutton	Hoes	Mullany	Schulum

Axtell	Egan	Hutton	Murphy	Sears
Baker	Eldridge	Ives	Murray	Seligsberg
Bondy	Ellis	Johnson	Myers J C	Shoeneck
Brennan E C	Fitzgerald	Kelly	Nixon	Simmons
Brennan J F	Fordyce	Kelsey	O'Connor	Sloan
Brewster	Fritz	Kullman	Oliver	Smith E LaG
Brown	Fuller	Laimbeer	Palmer	Stedman
Burr	Gale	Litchard	Paris	Stoneman
Cain	Gallagher	Lowenthal	Patton	Streifer
Chanler	Gibney	Mahar	Perkins	Sullivan
Clark A L	Glaser	Maloney	Peterson	Tripp
Clark C J	Goodsell	Marshall	Pierce	Van Hoesen
Collins	Graney	Martin	Post	Van Rens'aer
Costello	Green	Mason	Raplee	Vincent
Cottle	Greenwood	Matteson	Redington	Vroman
Crabtree	Griggs	McEwan	Reisert	Williams
Cross	Guider	McGuire	Roche	Witter
Cullen	Hachemeis'r	McKeown	Russell	Wright
Dale	Haight	McLaughlin	Sage	Zimmerman
Davis	Hanna	Meyer G W		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1823) entitled "An act to authorize the common council of the city of Yonkers to empower the board of education in said city to borrow money to pay for materials and work upon certain of its school premises." (Int. No. 1347.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Cross	Griggs	McEwan	Schulum
Addis	Cullen	Guider	McKeown	Sears
Adler	Dale	Hachemeis'r	McLaughlin	Seligsberg
Allds	Davis	Haight	Miles	Sinsheimer
Armstrong	DeGraw	Hanna	Miller	Sloan
Axtell	Delaney	Harburger	Mitchell	Smith E La G
Baker	Donnelly	Hatch	Mullany	Stedman
Boland	Egan	Hays	Murphy	Stoneman
Bondy	Eldridge	Hill	Myers J C	Sullivan
Brennan E C	Ellis	Hoffman	O'Connor	Taylor
Brennen J F	Farrell	Holbert	Oliver	Tiffany
Brewster	Finn	Hubbard	Paris	Tompkins
Brown	Fish	Ives	Patton	Trainor
Burr	Fordyce	Kavanaugh	Perkins	Tripp
Cain	Fritz	Kelly	Phillips	Van Hoesen
Chanler	Fuller	Kullman	Pierce	Van Rens'aer
Clark A L	Gale	Laimbeer	Post	Vroman
Clark C J	Gallagher	Litchard	Raplee	Wallace
Collins	Gibney	Lowenthal	Reisert	Weekes
Costello	Glaser	Mahar	Roche	Whipple
Cottle	Goodsell	Maloney	Sage	Wicke
Coughtry	Graney	Marshall	Sanford	Williams
Cowles	Green	Martin	Schmid F	Witter
Crabtree	Greenwood	Matteson	Schultz	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1803) entitled "An act to provide for the construction of vertical retaining walls on each side of the Oneida feeder to the Erie canal, in the village of Oneida, Madison county, from Messenger street to Cedar street, in said village, and making an appropriation therefor." (Int. No. 1329.)

On motion of Mr. Fish, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hill	Mohring	Sears
Addis	Donnelly	Hoes	Mullany	Seligsberg
Adler	Dutton	Hoffman	Murphy	Shoenek
Allds	Egan	Holbert	Murray	Simmons
Armstrong	Eldridge	Hubbard	Myers J C	Sinsheimer
Axtell	Ellis	Hutton	Nixon	Sloan
Baker	Evarts	Ives	O'Connor	Smith E LaG
Boland	Farrell	Johnson	Oliver	Stedman
Bondy	Finn	Kavanaugh	Palmer	Stoneman
Brennan E C	Fish	Kelly	Paris	Streifler
Brewster	Fitzgerald	Kelsey	Patton	Sullivan
Brown	Fordyce	Kullman	Perkins	Ten Eyck
Burr	Fritz	Laimbeer	Peterson	Tiffany
Cain	Fuller	Litchard	Phillips	Tompkins
Chanler	Gale	Lowenthal	Pickett	Tremper
Clark A L	Gibney	Mahar	Pierce	Tripp
Clark C J	Glaser	Maloney	Post	Van Hoesen
Collins	Goodsell	Marshall	Raplee	Vincent
Costello	Graney	Martin	Raplee	Vroman
Cottle	Green	Mason	Redington	Wallace
Coughtry	Greenwood	Matteson	Reisert	Weekes
Cowles	Griggs	McEwan	Roche	Weill
Crabtree	Guider	McGuire	Russell	Whipple
Cross	Hachemeis'r	McKeown	Sage	Wicke
Cullen	Haight	McLaughlin	Sanford	Williams
Dale	Hanna	Meyer G W	Schmid A F	Witter
Davis	Harburger	Miles	Schmid F	Wright
DeGraw	Hatch	Miller	Schultz	Zimmerman
Delaney	Hays	Mitchell	Schulum	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1832) entitled "An act to legalize and confirm the official acts of John W. McCarty as a notary public in and for the county of Tioga." (Int. No. 1353.)

On motion of Mr. Witter, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hill	Mullany	Sears
Addis	Dillon	Hoffman	Murphy	Seligsberg
Adler	Donnelly	Holbert	Murray	Shoenek
Allds	Egan	Hubbard	Nixon	Simmons
Armstrong	Eldridge	Ives	O'Connor	Sinsheimer
Axtell	Ellis	Kavanaugh	Oliver	Sloan
Baker	Farrell	Kelly	Palmer	Stedman
Boland	Finn	Kelsey	Paris	Stoneman
Bondy	Fish	Kullman	Patton	Streifler
Brennan E C	Fitzgerald	Laimbeer	Peterson	Sullivan
Brennen J F	Fritz	Litchard	Phillips	Taylor
Brewster	Fuller	Lowenthal	Pickett	Tiffany
Burr	Gale	Mahar	Pierce	Tompkins
Cain	Gallagher	Maloney	Post	Tremper
Chanler	Gibney	Marshall	Raplee	Tripp
Clark A L	Glaser	Martin	Redington	Van Rens'aer
Collins	Graney	Mason	Reisert	Vincent
Costello	Green	Matteson	Roche	Wallace
Cottle	Greenwood	McGuire	Russell	Weekes
Cowles	Guider	McKeown	Sanford	Whipple
Crabtree	Hachemeis'r	McLaughlin	Schmid A F	Wicke
Cross	Haight	Meyer G W	Schmid F	Witter
Cullen	Harburger	Miller	Schultz	Wright
Davis	Hatch	Mohring	Schulum	Zimmerman
DeGraw	Hays			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1855) entitled "An act to amend chapter 15 of the laws of 1898,

entitled 'An act to provide for the appointment of a canal investigating commission, and making an appropriation therefor,' in relation to the report of such commission." (Int. No. 1360.)

Said bill having been announced for a second reading,

Mr. Donnelly moved to amend said bill by adding after the word "follows," in line 4 of page 1.

"§ 3. The commission may employ counsel, experts, engineers and such other assistants as it may deem necessary; subpoena and require the attendance in this state of witnesses, and the production thereby of books and papers touching the subjects of such investigation, and examine them and such public records of the state as it shall require in relation to any matter which it is required to investigate. And for the purposes of the examination hereby directed, the commission possesses all the powers conferred by the legislative law upon a committee of the legislature, or by the code of civil procedure, upon a board or committee; may invoke the power of any court of record in the state to compel the attendance and testifying of witnesses and the production thereby of books and papers as aforesaid, and any member of the commission shall have power to administer oaths to witnesses summoned before it. No person shall be excused from answering any questions which may be put to him, or from producing any books, papers or documents on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him; but no person shall be prosecuted in any criminal action or proceeding or subjected to any penalty or forfeiture on account of any transaction, matter or thing concerning which he may testify."

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Donnelly	Hoffman	Mullany	Shoeneck
Addis	Dutton	Holbert	Murphy	Simmons
Adler	Egan	Hubbard	Murray	Sinsheimer
Allds	Eldridge	Ives	Myers J C	Sloan
Armstrong	Ellis	Johnson	Nixon	Smith E La G
Axtell	Evarts	Kavanaugh	O'Connor	Stedman
Baker	Farrell	Kelly	Oliver	Stoneman
Boland	Finn	Kelsey	Palmer	Streifler

Bondy	Fish	Kullman	Paris	Sullivan
Brennan E C	Fitzgerald	Laimbeer	Patton	Taylor
Brennen J F	Fordyce	Litchard	Perkins	Ten Eyck
Brewster	Fritz	Lowenthal	Peterson	Tiffany
Burr	Fuller	Mahar	Phillips	Tompkins
Cain	Gallagher	Maloney	Pickett	Trainor
Clark A L	Glaser	Marshall	Pierce	Tremper
Clark C J	Goodsell	Martin	Post	Tripp
Collins	Greenwood	Mason	Raplee	Van Rens'aer
Costello	Griggs	Matteson	Redington	Vincent
Cottle	Guider	McEwan	Reisert	Vroman
Coughtry	Hachemeis'r	McGuire	Russell	Wallace
Cowles	Haight	McKeown	Sage	Weekes
Crabtree	Hanna	McLaughlin	Sanford	Weill
Cullen	Harburger	Meyer G W	Schmid A F	Whipple
Dale	Hatch	Miles	Schultz	Williams
Davis	Hays	Miller	Schulum	Witter
DeGraw	Hill	Mitchell	Sears	Wright
Dillon	Hoes	Mohring	Seligsberg	Zimmerman

135

Mr. Nixon moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was had on said motion of Mr. Donnelly, when Mr. Nixon moved the previous question.

Mr. Speaker put the question, " Shall the main question be now put? " and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Donnelly, and it was determined in the negative.

{ AYES 60 }
{ NOES 80 }

Those who voted in the affirmative, were

Ackert	Finn	Hoffman	Murray	Schmid F
Boland	Fitzgerald	Hubbard	Myers J C	Schultz
Brennen J F	Fritz	Kelly	O'Connor	Schulum
Cain	Gale	Kullman	Palmer	Seligsberg
Collins	Gallagher	Mahar	Phillips	Shoeneck
Crabtree	Glaser	Maloney	Pickett	Sinsheimer

Cullen	Green	McGuire	Redington	Streifler
Dale	Griggs	McKeown	Reisert	Tompkins
Dillon	Guider	Meyer G W	Roche	Trainor
Donnelly	Hachemeis'r	Mitchell	Sage	Vroman
Egan	Haight	Mohring	Sanford	Weill
Farrell	Harburger	Mullany	Schmid A F	Wright

Those who voted in the negative, were

Addis	Cross	Hoes	Miller	Stedman
Adler	Davis	Holbert	Murphy	Stoneman
Allds	DeGraw	Ives	Nixon	Taylor
Armstrong	Dutton	Johnson	Oliver	Ten Eyck
Axtell	Eldridge	Kavanaugh	Paris	Tiffany
Baker	Ellis	Kelsey	Patton	Tremper
Bondy	Evarts	Laimbeer	Perkins	Tripp
Brennan E C	Fish	Litchard	Peterson	Van Rens'aer
Brewster	Fordyce	Lowenthal	Pierce	Vincent
Burr	Fuller	Marshall	Post	Wallace
Clark A L	Goodsell	Martin	Raplee	Weekes
Clark C J	Greenwood	Mason	Russell	Whipple
Costello	Hanna	Matteson	Sears	Williams
Cottle	Hatch	McEwan	Simmons	Witter
Coughtry	Hays	McLaughlin	Sloan	Zimmerman
Cowles	Hill	Miles	Smith E LaG	Speaker

Said bill was then read the second time.

On motion of Mr. Nixon, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Addis	Cross	Holbert	Oliver	Taylor
Adler	Davis	Ives	Paris	Ten Eyck
Allds	DeGraw	Johnson	Patton	Tiffany

Armstrong	Dutton	Kavanaugh	Perkins	Trainor
Axtell	Eldridge	Kelsey	Pierce	Tremper
Baker	Ellis	Laimbeer	Post	Tripp
Boland	Evarts	Litchard	Raplee	Van Hoesen
Bondy	Fish	Lowenthal	Russell	Van Rens'aer
Brennan E C	Fitzgerald	Marshall	Schmid A F	Vincent
Brewster	Fordyce	Martin	Schmid F	Wallace
Brown	Fuller	Mason	Schultz	Weekes
Burr	Goodsell	Matteson	Sears	Whipple
Chanler	Greenwood	McEwan	Shoeneck	Wicke
Clark A L	Hanna	McLaughlin	Simmons	Williams
Clark C J	Hatch	Miles	Sloan	Witter
Costello	Hays	Murphy	Smith E LaG	Wright
Cottle	Hill	Myers J C	Stedman	Zimmerman
Cowles	Hoes	Nixon	Stoneman	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1860) entitled "An act authorizing the commissioners of the sinking fund of the city of Poughkeepsie to issue bonds at a reduced rate of interest in exchange for existing bonds heretofore issued by the city of Poughkeepsie." (Int. No. 1362.)

On motion of Mr. Tripp, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hoes	Mohring	Schulum
Addis	Delaney	Hoffman	Mullaney	Sears
Adler	Dillon	Hubbard	Murphy	Shoeneck
Allds	Dutton	Hutton	Murray	Simmons
Armstrong	Egan	Johnson	Myers J C	Sloan

Axtell	Ellis	Kavanaugh	Nixon	Smith E L
Baker	Evarts	Kelsey	O'Connor	Stedman
Boland	Finn	Kullman	Oliver	Stoneman
Bondy	Fish	Laimbeer	Palmer	Streifler
Brennan E C	Fitzgerald	Litchard	Paris	Sullivan
Brennen J F	Fritz	Mahar	Patton	Ten Eyck
Brewster	Gale	Maloney	Perkins	Tompkins
Brown	Gallagher	Marshall	Phillips	Trainor
Burr	Gibney	Martin	Pickett	Tripp
Chanler	Glaser	Mason	Pierce	Van Rens'aer
Clark A L	Goodsell	Matteson	Post	Vroman
Clark C J	Green	McEwan	Raplee	Wallace
Costello	Griggs	McGuire	Redington	Weill
Cottle	Guider	McKeown	Roche	Whipple
Coughtry	Hachemeis'r	McLaughlin	Russell	Wicke
Cowles	Haight	Meyer G W	Sanford	Williams
Crabtree	Harburger	Miles	Schmid A F	Witter
Cross	Hatch	Miller	Schmid F	Wright
Cullen	Hill	Mitchell	Schultz	Zimmerman
Davis				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1830) entitled "An act to amend section 1012 of the Code of Civil procedure relating to the appointment of a referee." (Int. No. 154.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
 { NOES 00 }

Those who voted in the affirmative were

Ackert	Delaney	Harburger	Mitchell	Sears
Addis	Dillon	Hatch	Mohring	Schoeneck
Adler	Donnelly	Hays	Mullany	Simmons
Allds	Dutton	Hoes	Murphy	Sinsheimer
Axtell	Egan	Hoffman	Murray	Sloan
Baker	Eldridge	Holbert	Myers J C	Smith E La G
Boland	Ellis	Hutton	Nixon	Stedman
Bondy	Evarts	Johnson	O'Connor	Stoneman
Brennan E C	Farrell	Kelly	Oliver	Streifler
Brewster	Finn	Kelsey	Palmer	Sullivan
Brown	Fish	Kullman	Patton	Taylor
Burr	Fitzgerald	Litchard	Peterson	Tiffany
Chanler	Fordyce	Lowenthal	Phillips	Tompkins
Clark A L	Fritz	Mahar	Pickett	Trainor
Clark C J	Fuller	Maloney	Post	Tripp
Collins	Gale	Marshall	Raplee	Van Rens'aer
Costello	Gallagher	Martin	Redington	Vincent
Cottle	Gibney	Mason	Reisert	Vroman
Coughtry	Goodsell	Matteson	Roche	Wallace
Cowles	Graney	McEwan	Russell	Weekes
Crabtree	Green	McGuire	Sage	Whipple
Cross	Griggs	McKeown	Sanford	Wicke
Cullen	Guider	McLaughlin	Schmid A F	Witter
Dale	Hachemeis'r	Meyer G W	Schulum	Wright
Davis	Haight	Miles	Schultz	Zimmerman
DeGraw	Hanna	Miller		

Ordered, That the Clerk deliver said bill to the Senate, with a message that the Assembly has agreed to the report of the committee of conference.

Mr. Speaker announced the special order, being the Senate bill (No. 1583) entitled "An act to provide for the transfer of a certain plot of land in the borough of Brooklyn, City of New York, to the Brooklyn Free Library." (Rec. No. 654.)

On motion of Mr. E. C. Brennan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hanna	Miller	Shoeneck
Addis	Davis	Harburger	Mohring	Sinsheimer
Adler	DeGraw	Hatch	Mullany	Sloan
Allds	Delaney	Hill	Murray	Smith E LaG
Armstrong	Dillon	Hoes	Myers J C	Stedman
Axtell	Donnelly	Hoffman	Nixon	Stoneman
Baker	Dutton	Holbert	O'Connor	Streifler
Boland	Egan	Hutton	Oliver	Sullivan
Bondy	Eldridge	Johnson	Paris	Ten Eyck
Brennan E C	Ellis	Kelly	Patton	Tiffany
Brewster	Evarts	Kelsey	Perkins	Tompkins
Brown	Farrell	Kullman	Peterson	Tremper
Cain	Fish	Litchard	Phillips	Tripp
Chanler	Fitzgerald	Lowenthal	Pierce	Van Hoesen
Clark A L	Fritz	Mahar	Post	Vincent
Clark C J	Fuller	Maloney	Redington	Vroman
Collins	Gallagher	Marshall	Reisert	Wallace
Costello	Gibney	Martin	Roche	Weekes
Cottle	Glaser	Mason	Sage	Weill
Coughtry	Graney	Matteson	Sanford	Wicke
Cowles	Greenwood	McGuire	Schmid F	Williams
Crabtree	Griggs	McKeown	Schultz	Witter
Cross	Guider	Meyer G W	Schulum	Wright
Cullen	Hachemeis'r	Miles	Sears	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 795) entitled "An act to authorize and empower receivers of corporations appointed by a judgment or order in an action or special proceeding to sell the property of the corporation at private sale." (Rec. No. 260.)

On motion of Mr. Tremper, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Holbert	Murphy	Seligsberg
Addis	Eldridge	Hubbard	Murray	Shoeneck
Adler	Ellis	Johnson	Myers J C	Simmons
Allds	Evarts	Kavanaugh	Nixon	Sinsheimer
Armstrong	Farrell	Kelly	O'Connor	Sloan
Axtell	Fish	Kelsey	Oliver	Smith E LaG
Baker	Fitzgerald	Laimbeer	Palmer	Stedman
Boland	Fordyce	Litchard	Paris	Stoneman
Bondy	Fritz	Lowenthal	Patton	Streifler
Brennen J F	Fuller	Mahar	Perkins	Taylor
Brown	Gale	Maloney	Peterson	Ten Eyck
Burr	Gibney	Marshall	Phillips	Tompkins
Cain	Glaser	Martin	Pickett	Trainor
Clark A L	Graney	Mason	Pierce	Tripp
Clark C J	Green	Matteson	Raplee	Van Hoesen
Costello	Greenwood	McEwan	Redington	Van Rens'aer
Coughtry	Griggs	McGuire	Reisert	Vincent
Cowles	Guider	McKeown	Roche	Vroman
Crabtree	Hachemeis'r	McLaughlin	Russell	Wallace
Cross	Haight	Meyer G W	Sage	Weill
Cullen	Hanna	Miles	Sanford	Whipple
Dale	Harburger	Miller	Schmid A F	Wicke
Davis	Hatch	Mitchell	Schmid F	Witter
Delaney	Hays	Mohring	Schultz	Wright
Dillon	Hoes	Mullany	Schulum	Zimmerman
Donnelly	Hoffman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1000) entitled "An act to release the interest of the State of

New York in certain real estate in The City of New York to Robert L. T. Irvin, Mary I. Smith and Ethel Irvin." (Rec. No. 354.)

On motion of Mr. Vroman, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hays	Mullany	Simmons
Addis	DeGraw	Hoes	Murphy	Sinsheimer
Adler	Delaney	Holbert	Murray	Sloan
Allds	Dillon	Hubbard	Myers J C	Smith E LaG
Armstrong	Donnelly	Ives	Nixon	Stedman
Axtell	Dutton	Kavanaugh	O'Connor	Stoneman
Baker	Egan	Kelly	Oliver	Streifler
Boland	Eldridge	Kullman	Palmer	Sullivan
Bondy	Ellis	Laimbeer	Perkins	Taylor
Brennan EC	Evarts	Litchard	Peterson	Ten Eyck
Brennen J F	Farrell	Lowenthal	Phillips	Tiffany
Brewster	Finn	Mahar	Pickett	Tompkins
Brown	Fish	Maloney	Post	Trainor
Burr	Fitzgerald	Marshall	Raplee	Tremper
Cain	Fritz	Martin	Redington	Tripp
Chanler	Fuller	Mason	Reisert	Van Hoesen
Clark A L	Gallagher	Matteson	Roche	Van Rens'aer
Clark C J	Gibney	McEwan	Sage	Vroman
Collins	Graney	McGuire	Sanford	Wallace
Costello	Green	McKeown	Schmid A F	Weekes
Cottle	Greenwood	Meyer G W	Schulum	Weill
Cowles	Guider	Miles	Schultz	Wicke
Crabtree	Haight	Miller	Sears	Williams
Cross	Hanna	Mitchell	Seligsberg	Wright
Cullen	Hatch	Mohring	Shoeneck	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 700) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, and part of the county of Queens, and to provide for the government thereof,' relative to leases for public purposes." (Rec. No. 282.)

Said bill having been announced for a second reading,

On motion of Mr. Marshall, and by unanimous consent, said bill was made a special order on second and third readings for tomorrow immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 943) entitled "An act to amend section 9 of chapter 354 of the Laws of 1884, entitled 'An act to provide for the care, transportation and commitment and the payment therefor of lunatics, idiots, persons of unsound mind, deaf-mutes, orphans and paupers, the expense of whose maintenance and transportation is a charge upon the county of Albany, and to define the duties of the superintendent of the almshouse in the city of Albany.'" (Rec. No. 335.)

On motion of Mr. Coughtry, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 128 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Harburger	Mohring	Sears
Addis	Davis	Hatch	Mullany	Seligsberg
Adler	DeGraw	Hill	Murphy	Shoenek

Allds	Delaney	Hoes	Murray	Schulum
Armstrong	Dillon	Holbert	Myers J C	Simmons
Axtell	Donnelly	Hubbard	Nixon	Sinsheimer
Baker	Egan	Hutton	O'Connor	Sloan
Boland	Eldridge	Johnson	Oliver	Smith E La G
Bondy	Ellis	Kavanaugh	Palmer	Stedman
Brennan E C	Evarts	Kelsey	Paris	Stoneman
Brennen J F	Farrell	Laimbeer	Patton	Streifler
Brewster	Finn	Lowenthal	Perkins	Sullivan
Brown	Fitzgerald	Mahar	Phillips	Taylor
Burr	Fordyce	Maloney	Pickett	Tiffany
Cain	Fritz	Marshall	Pierce	Tompkins
Chanler	Gale	Martin	Post	Trainor
Clark A L	Gallagher	Mason	Raplee	Tremper
Clark C J	Glaser	Matteson	Redington	Van Hoesen
Collins	Goodsell	McEwan	Reisert	Vincent
Costello	Graney	McGuire	Roche	Vroman
Cottle	Green	McKeown	Sage	Weekes
Coughtry	Greenwood	McLaughlin	Sanford	Whipple
Cowles	Griggs	Meyer G W	Schmid A F	Williams
Crabtree	Hachemeis'r	Miles	Schmid F	Wright
Cross	Haight	Miller	Schultz	Zimmerman
Cullen	Hanna	Mitchell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 898) entitled "An act to amend section 1310 of the Code of Civil Procedure, relating to stay of proceedings pending appeal." (Rec. No. 287.)

On motion of Mr. Miles, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hatch	Miles	Schultz
Addis	Dale	Hays	Miller	Sears
Adler	DeGraw	Hill	Mitchell	Seligsberg
Allds	Dillon	Hubbard	Mohring	Sinsheimer
Armstrong	Donnelly	Hoffman	Mullany	Sloan
Axtell	Dutton	Hutton	Murphy	Stoneman
Boland	Eldridge	Ives	Murray	Streifler
Baker	Ellis	Kavanaugh	Myers J C	Sullivan
Boland	Evarts	Kelly	Nixon	Ten Eyck
Bondy	Finn	Kullman	O'Connor	Tiffany
Brennan E C	Fish	Laimbeer	Oliver	Tompkins
Brewster	Fitzgerald	Litchard	Palmer	Trainor
Brown	Fritz	Mahar	Paris	Tremper
Burr	Gale	Maloney	Patton	Tripp
Cain	Gallagher	Marshall	Peterson	Van Hoesen
Chanler	Glaser	Martin	Pickett	Vincent
Clark A L	Goodsell	Mason	Pierce	Vroman
Clark C J	Graney	Matteson	Raplee	Wallace
Collins	Greenwood	McEwan	Reddington	Weill
Costello	Griggs	McGuire	Roche	Wicke
Cottle	Hachemeis'r	McKeown	Russell	Witter
Coughtry	Haight	McLaughlin	Sanford	Wright
Cowles	Hanna	Meyer G W	Schmid F	Zimmerman
Crabtree				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1081) entitled "An act in relation to Clinton avenue, in the borough of Brooklyn, in The City of New York." (Rec. No. 343.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hill	Mullany	Sears
Addis	DeGraw	Hoes	Murphy	Seligsberg
Adler	Delaney	Hoffman	Murray	Shoeneck
Alds	Dillon	Holbert	Myers J C	Sinsheimer
Armstrong	Donnelly	Hutton	O'Connor	Sloan
Axtell	Dutton	Ives	Oliver	Stedman
Baker	Egan	Johnson	Paris	Streifler
Boland	Eldridge	Kelly	Patton	Sullivan
Bondy	Ellis	Kullman	Perkins	Ten Eyck
Brennan E C	Farrell	Laimbeer	Phillips	Tiffany
Brennen J F	Finn	Litchard	Pickett	Trainor
Brewster	Fitzgerald	Mahar	Pierce	Tremper
Brown	Fordyce	Maloney	Post	Van Hoesen
Burr	Fuller	Martin	Raplee	Van Rens'aer
Cain	Gallagher	Mason	Redington	Vroman
Chanler	Gibney	Matteson	Reisert	Wallace
Clark A L	Goodsell	McEwan	Roche	Weekes
Clark C J	Green	McGuire	Russell	Whipple
Costello	Griggs	McKeown	Sage	Wicke
Cottle	Hachemeister	Meyer G W	Sanford	Williams
Crabtree	Haight	Miles	Schmid A F	Wright
Cross	Harburger	Miller	Schmid F	Zimmerman
Dale	Hatch	Mitchell	Schultz	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 673) entitled "An act to enable the city of Albany to pay sundry debts for printing and advertising." (Rec. No. 271.)

On motion of Mr. Kelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative were

Ackert	Davis	Haight	Miller	Schulum
Addis	DeGraw	Hanna	Mitchell	Sears
Adler	Delaney	Hatch	Mohring	Seligsberg
Allds	Dillon	Hays	Mullany	Shoeneck
Armstrong	Donnelly	Hoes	Murphy	Simmons
Axtell	Dutton	Hoffman	Murray	Sinsheimer
Boland	Egan	Holbert	Myers J C	Sloan
Bondy	Eldridge	Hutton	O'Connor	Smith E La G
Brennan E C	Ellis	Ives	Oliver	Stedman
Brennen J F	Evarts	Johnson	Palmer	Stoneman
Brewster	Farrell	Kavanaugh	Paris	Sullivan
Brown	Finn	Kelly	Patton	Taylor
Burr	Fish	Laimbeer	Peterson	Ten Eyck
Cain	Fitzgerald	Litchard	Phillips	Tiffany
Chanler	Fordyce	Lowenthal	Pickett	Tompkins
Clark A L	Fritz	Mahar	Post	Tremper
Clark C J	Fuller	Maloney	Raplee	Tripp
Collins	Gale	Marshall	Redington	Van Hoesen
Costello	Gibney	Martin	Reisert	Vincent
Cottle	Glaser	Mason	Roche	Wallace
Coughtry	Goodsell	Matteson	Russell	Weill
Cowles	Graney	McEwan	Sage	Wicke
Crabtree	Green	McGuire	Sanford	Williams
Cross	Greenwood	McLaughlin	Schmid A F	Witter
Cullen	Griggs	Meyer G W	Schmid F	Wright
Dale	Guider	Miles	Schultz	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1079) entitled "An act to amend chapter 335 of the Laws of 1868, entitled 'An act to incorporate the city of Ogdensburg,' and the acts amending the same." (Rec. No. 346.)

On motion of Mr. Miles, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hutton	Murray	Shoeneck
Addis	Donnelly	Ives	Myers J C	Simmons
Adler	Dutton	Kavanaugh	Nixon	Sinsheimer
Allds	Egan	Kelly	O'Connor	Slaon
Armstrong	Ellis	Kelsey	Oliver	Smith E LaG
Axtell	Farrell	Laimbeer	Palmer	stedman
Baker	Finn	Litchard	Paris	Stoneman
Boland	Fish	Lowenthal	Patton	Streifler
Brennan E C	Fitzgerald	Mahar	Perkins	Sullivan
Brennen J F	Fritz	Maloney	Peterson	Taylor
Brewster	Fuller	Marshall	Phillips	Ten Eyck
Burr	Gallagher	Martin	Pickett	Tiffany
Cain	Gibney	Mason	Post	Tompkins
Clark A L	Goodsell	Matteson	Raplee	Trainor
Clark C J	Green	McEwan	Redington	Tremper
Costello	Griggs	McGuire	Roche	Tripp
Cottle	Guider	McKeown	Russell	Van Hoesen
Coughtry	Haight	McLaughlin	Sage	Van Rens'laer
Cowles	Harburger	Meyers G W	Sanford	Vroman
Crabtree	Hays	Miles	Schmid A F	Wallace
Cross	Hill	Miller	Schmid F	Weill
Cullen	Hoes	Mitchell	Schulum	Whipple
Dale	Hoffman	Mohring	Sears	Williams
Davis	Holbert	Mullany	Seligsberg	Wright
DeGraw	Hubbard	Murphy	Schultz	Zimmerman
Delaney				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 982) entitled "An act to confer jurisdiction upon the Court

of Claims to hear, audit and determine the alleged claim of Sarah M. Holcomb against the State for damages alleged to have been sustained by her and to render judgment therefor." (Rec. No. 330.)

On motion of Mr. Allds, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hachemeis'r	McKeown	Schultz
Addis	Davis	Haight	Meyer G W	Schulum
Adler	DeGraw	Harburger	Miles	Sears
Allds	Delaney	Hatch	Miller	Seligsberg
Armstrong	Dillon	Hill	Mitchell	Simmons
Axtell	Dutton	Hoes	Mohring	Sinsheimer
Baker	Egan	Hoffman	Mullany	Sloan
Boland	Eldridge	Holbert	Murray	Stedman
Bondy	Ellis	Hubbard	Myers J C	Stoneman
Brennan EC	Evarts	Ives	Nixon	Streifler
Brennen J F	Farrell	Johnson	Oliver	Sullivan
Brewster	Finn	Kavanaugh	Palmer	Taylor
Brown	Fish	Kelly	Paris	Ten Eyck
Burr	Fitzgerald	Kelsey	Patton	Tiffany
Cain	Fordyce	Kullman	Perkins	Trainor
Chanler	Fuller	Laimbeer	Peterson	Tremper
Clark A L	Gale	Litchard	Phillips	Van Hoesen
Clark C J	Gallagher	Lowenthal	Pickett	Vincent
Collins	Gibney	Mahar	Pierce	Vroman
Costello	Glaser	Maloney	Raplee	Weekes
Cottle	Goodsell	Marshall	Redington	Weill
Coughtry	Graney	Martin	Roche	Wicke
Cowles	Green	Mason	Russell	Williams
Crabtree	Greenwood	Matteson	Sanford	Wright
Cross	Griggs	McEwan	Schmid A F	Zimmerman
Cullen	Guider	McGuire	Schmid F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 498) entitled "An act making an appropriation for repairing and completing the State armory at Auburn, and appointing a commission therefor." (Rec. No. 363.)

On motion of Mr. Fordyce, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Miles	Schultz
Addis	Dillon	Hatch	Mitchell	Sears
Adler	Dutton	Hill	Mohring	Seligsberg
Allds	Egan	Hoes	Mullany	Shoeneck
Armstrong	Ellis	Hoffman	Murphy	Simmons
Axtell	Evarts	Holbert	Myers J C	Sloan
Baker	Farrell	Hutton	Nixon	Smith E LaG
Boland	Fish	Ives	O'Connor	Stedman
Bondy	Fitzgerald	Kavanaugh	Palmer	Stoneman
Brennen J F	Fordyce	Kelly	Paris	Sullivan
Brewster	Fritz	Kullman	Patton	Taylor
Brown	Fuller	Laimbeer	Perkins	Tiffany
Cain	Gallagher	Litchard	Phillips	Tompkins
Chanler	Gibney	Mahar	Pickett	Tremper
Clark C J	Glaser	Maloney	Pierce	Van Hoesen
Collins	Graney	Marshall	Post	Van Rens'aeu
Costello	Green	Martin	Raplee	Vroman
Cottle	Greenwood	Mason	Reisert	Weekes
Cowles	Griggs	McEwan	Russell	Weill
Crabtree	Guider	McGuire	Sage	Wicke
Cullen	Hachemeis'r	McKeown	Sanford	Witter
Dale	Haight	McLaughlin	Schmid A F	Zimmerman
DeGraw	Hanna	Meyer G W	Schmid F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1063) entitled "An act to authorize the executors and trustees, subject to the approval of the Supreme Court, to acquire or exchange lands for the purpose of straightening or improving boundary lines of real property." (Rec. No. 333.)

On motion of Mr. Allds, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hubbard	Murray	Schultz
Addis	Eldridge	Hutton	Myers J C	Schulum
Adler	Ellis	Johnson	Nixon	Seligsberg
Allds	Farrell	Kelly	O'Connor	Sinsheimer
Axtell	Finn	Kullman	Oliver	Smith E LaG
Baker	Fish	Laimbeer	Palmer	Stedman
Boland	Fitzgerald	Litchard	Paris	Streifler
Bondy	Fritz	Lowenthal	Patton	Taylor
Brennen J F	Fuller	Mahar	Perkins	Ten Eyck
Brewster	Gale	Maloney	Peterson	Tompkins
Burr	Gallagher	Marshall	Phillips	Trainor
Chanler	Glaser	Mason	Pickett	Tripp
Clark A L	Goodsell	Matteson	Pierce	Van Hoesen
Clark C J	Green	McEwan	Post	Vincent
Costello	Greenwood	McKeown	Raplee	Vroman
Cottle	Guider	McLaughlin	Redington	Wallace
Cowles	Haight	Meyer G W	Reisert	Weekes
Crabtree	Harburger	Miles	Roche	Weill
Cullen	Hatch	Miller	Russell	Whipple

Davis	Hill	Mitchell	Sage	Wicke
DeGraw	Hoes	Mohring	Sanford	Williams
Dillon	Hoffman	Mullany	Schmid F	Wright
Donnelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 827) entitled "An act to amend the Labor Law, relating to the designation of deputy factory inspectors for the enforcement of provisions of such law concerning the employment of labor on public works." (Rec. No. 351.)

On motion of Mr. Mason, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 27 }

Those who voted in the affirmative, were

Addis	Dutton	Hubbard	Nixon	Simmons
Adler	Egan	Ives	Oliver	Sloan
Armstrong	Eldridge	Johnson	Paris	Smith E LaG
Axtell	Ellis	Kavanaugh	Patton	Stedman
Baker	Evarts	Kelsey	Perkins	Stoneman
Boland	Fish	Laimbeer	Peterson	Taylor
Bondy	Fordyce	Litchard	Pierce	Tiffany
Brennan E C	Fuller	Lowenthal	Post	Tremper
Brewster	Goodsell	Martin	Raplee	Tripp
Burr	Greenwood	Mason	Redington	Van Rens'aer
Clark A L	Haight	Matteson	Roche	Vincent
Clark C J	Hanna	McEwan	Russell	Whipple
Costello	Hatch	McLaughlin	Sage	Williams
Cottle	Hays	Miles	Schmid A F	Witter
Coughtry	Hill	Miller	Sears	Wright

Cowles	Hoes	Mullany	Seligsberg	Zimmerman
Cross	Holbert	Murphy	Shoeneck	Speaker
DeGraw				

In the negative,

Cain	Donnelly	Hoffman	McGuire	Streifler
Collins	Fitzgerald	Kelly	Murray	Sullivan
Cullen	Fritz	Kullman	Phillips	Trainor
Dale	Gallagher	Mahar	Pickett	Weekes
Davis	Glaser	Maloney	Schultz	Weill
Dillon	Hachemeis'r			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 817) entitled "An act to amend section 15 of the General Corporation Law, relating to a certificate of authority of a foreign corporation." (Rec. No. 231.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Harburger	Miller	Sears
Addis	Davis	Hatch	Mitchell	Seligsberg
Adler	Delaney	Hill	Mohring	Shoeneck
Allds	Dillon	Hoes	Murphy	Simmons
Armstrong	Dutton	Hoffman	Myers J C	Sinsheimer
Axtell	Egan	Hubbard	Nixon	Sloan
Baker	Eldridge	Hutton	O'Connor	Stedman
Boland	Ellis	Ives	Oliver	Stoneman
Bondy	Evarts	Kavanaugh	Palmer	Streifler

Brennan E C	Finn	Kelly	Paris	Sullivan
Brennen J F	Fitzgerald	Kelsey	Perkins	Taylor
Brewster	Fordyce	Kullman	Peterson	TenEcyk
Brown	Fritz	Laimbeer	Phillips	Tiffany
Burr	Fuller	Lowenthal	Pierce	Trainor
Chanler	Gale	Mahar	Post	Tripp
Clark A L	Gallagher	Maloney	Raplee	Van Hoesen
Clark C J	Gibney	Marshall	Redington	Vincent
Costello	Glaser	Martin	Reisert	Wallace
Cottle	Goodsell	Mason	Roche	Weill
Coughtry	Graney	McEwan	Russell	Whipple
Cowles	Greenwood	McGuire	Sanford	Williams
Crabtree	Griggs	McKeown	Schmid A F	Witter
Cross	Hachemeis'r	McLaughlin	Schmid F	Zimmerman
Cullen	Haight	Miles	Schultz	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 873) entitled "An act to legalize and confirm the official acts of Eldorous Dayton, a notary public in and for Ulster county." (Rec. No. 280.)

On motion of Mr. Tremper, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hill	Mullany	Seligsberg
Addis	Donnelly	Hoffman	Murphy	Sinsheimer
Adler	Egan	Holbert	Myers J C	Sloan
Allds	Eldridge	Hutton	Nixon	Stedman
Armstrong	Ellis	Ives	O'Connor	Stoneman

Axtell	Farrell	Kavanaugh	Palmer	Streifer
Baker	Finn	Kelly	Paris	Taylor
Boland	Fish	Kelsey	Patton	Ten Eyck
Bondy	Fitzgerald	Kullman	Perkins	Tiffany
Brennen J F	Fordyce	Litchard	Peterson	Tompkins
Brewster	Fuller	Lowenthal	Phillips	Trainor
Brown	Gallagher	Mahar	Pickett	Tremper
Burr	Gibney	Maloney	Pierce	Tripp
Cain	Glaser	Marshall	Post	Van Hoesen
Chanler	Goodsell	Martin	Raplee	Van Rens'aer
Clark C J	Graney	Mason	Redington	Vroman
Costello	Greenwood	Matteson	Reisert	Wallace
Cottle	Griggs	McEwan	Roche	Weill
Cowles	Guider	McKeown	Sage	Whipple
Crabtree	Hachemeis'r	McLaughlin	Sanford	Wicke
Cross	Hatch	Meyer G W	Schmid A F	Witter
Cullen	Harburger	Miller	Schmid F	Wright
Davis	Hatch	Mitchell	Schultz	Zimmerman
Delaney	Hays	Mohrin g	Sears	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 716) entitled "An act to amend chapter 262 of the Laws of 1855, entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster,' and the acts amendatory thereof." (Rec. No. 223.)

On motion of Mr. Tremper, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hoes	Mullany	Shoeneck
Addis	Egan	Holbert	Murphy	Sinsheimer
Adler	Eldridge	Hubbard	Murray	Sloan
Allds	Evarts	Hutton	Myers J C	Smith E La G
Armstrong	Farrell	Johnson	Nixon	Stedman
Axtell	Finn	Kavanaugh	O'Connor	Stoneman
Baker	Fish	Kelly	Oliver	Streiffer
Boland	Fitzgerald	Kullman	Paris	Sullivan
Bondy	Fordyce	Laimbeer	Palmer	Taylor
Brennan E C	Fritz	Lowenthal	Patton	Ten Eyck
Brewster	Fuller	Mahar	Peterson	Tiffany
Brown	Gale	Maloney	Phillips	Trainor
Burr	Gallagher	Marshall	Pierce	Tremper
Chanler	Gibney	Martin	Post	Van Hoesen
Clark A L	Glaser	Mason	Raplee	Van Rens'aer
Clark C J	Graney	McEwan	Reisert	Vincent
Collins	Green	McGuire	Roche	Wallace
Costello	Greenwood	McKeown	Russell	Weekes
Cottle	Griggs	McLaughlin	Sage	Weill
Cowles	Guider	Meyer G W	Sanford	Whipple
Cross	Hachemeis'r	Miles	Schmid F	Wicke
Dale	Haight	Miller	Schultz	Williams
DeGraw	Hatch	Mitchell	Schulum	Wright
Delaney	Hays	Mohring	Sears	Zimmerman
Donnelly	Hill			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 487) entitled "An act to amend subdivision 1 of section 1367 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to appeals from municipal courts therein." (Rec. No. 269.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Guider	Meyer G W	Sears
Addis	DeGraw	Hachemeis'r	Miles	Seligsberg
Adler	Delaney	Haight	Mitchell	Shoeneck
Armstrong	Dillon	Hanna	Mullany	Simmons
Axtell	Donnelly	Harburger	Murphy	Sinsheimer
Baker	Dutton	Hays	Murray	Sloan
Boland	Egan	Hill	Myers J C	Smith E La G
Bondy	Ellis	Hoffman	Nixon	Stedman
Brennan E C	Evarts	Hubbard	O'Connor	Stoneman
Brennen J F	Farrell	Hutton	Palmer	Sullivan
Brewster	Finn	Johnson	Paris	Taylor
Brown	Fish	Kelly	Perkins	Tiffany
Burr	Fitzgerald	Kelsey	Peterson	Tompkins
Cain	Fordyce	Laimbeer	Phillips	Trainor
Chanler	Fritz	Litchard	Pickett	Tripp
Clark C J	Fuller	Mahar	Post	Van Hoesen
Collins	Gale	Maloney	Raplee	Vincent
Costello	Gallagher	Marshall	Redington	Vroman
Cottle	Gibney	Martin	Roche	Wallace
Coughtry	Glaser	Mason	Russell	Weill
Cowles	Goodsell	Matteson	Sanford	Whipple
Crabtree	Graney	McEwan	Schmid A F	Williams
Cross	Green	McKeown	Schultz	Witter
Cullen	Greenwood	McLaughlin	Schulum	Wright
Dale	Griggs			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1052) entitled "An act to regulate the use of bicycles, and to prevent discrimination in ordinances affecting the same." (Rec. No. 338.)

Said bill having been announced for a second reading,

On motion of Mr. Fish, and by unanimous consent, said bill was made a special order on second and third reading for tomorrow, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 916) entitled "An act to provide in and for the county of Kings an additional court, not of record, for the trial of minor felonies." (Rec. No. 268.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hatch	Mitchell	Simmons
Addis	Delaney	Hays	Mohring	Sinsheimer
Adler	Dillon	Hoes	Mullany	Sloan
Allds	Donnelly	Holbert	Murphy	Stedman
Axtell	Dutton	Hubbard	Murray	Stoneman
Baker	Egan	Ives	Myers J C	Streifer
Boland	Eldridge	Johnson	Nixon	Sullivan
Bondy	Evarts	Kavanaugh	Oliver	Taylor
Brennan EC	Farrell	Kelly	Palmer	Ten Eyck
Brennen J F	Finn	Kelsey	Paris	Tompkins
Brewster	Fish	Kullman	Perkins	Trainor
Burr	Fordyce	Laimbeer	Peterson	Tremper
Cain	Fritz	Litchard	Phillips	Tripp
Chanler	Gale	Mahar	Pickett	Van Hoesen

Clark A L	Gallagher	Maloney	Pierce	Van Rensae'r
Clark C J	Gibney	Marshall	Post	Vincent
Collins	Glaser	Martin	Raplee	Vroman
Costello	Goodsell	Mason	Reisert	Wallace
Cottle	Graney	Matteson	Roche	Weekes
Coughtry	Green	McEwan	Sage	Weill
Cowles	Greenwood	McGuire	Schmid A F	Whipple
Crabtree	Guider	McKeown	Schmid F	Wicke
Cross	Hachemeis'r	McLaughlin	Schulum	Williams
Cullen	Haight	Meyer G W	Sears	Witter
Dale	Hanna	Miles	Seligberg	Wright
Davis	Harburger	Miller	Shoeneck	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the bill (No. 1812) entitled "An act to authorize the city of Cohoes to borrow money, by the issue of bonds, for the improvement of the water works and extension of the water mains in said city." (Int. No. 1338.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Miles	Schultz
Addis	Donnelly	Hill	Miller	Sears
Adler	Egan	Hoffman	Mitchell	Shoeneck
Allds	Eldridge	Holbert	Mohring	Sinsheimer
Axtell	Evarts	Hubbard	Mullany	Sloan
Baker	Farrell	Ives	Murray	Stedman
Boland	Fish	Johnson	Myers J C	Stoneman
Brennan E C	Fitzgerald	Kavanaugh	Nixon	Streidler
Brennen J F	Fordyce	Kelly	O'Connor	Sullivan

Brewster	Fritz	Kelsey	Oliver	Taylor
Brown	Gale	Kullman	Palmer	Tiffany
Burr	Gallagher	Laimbeer	Paris	Tompkins
Cain	Gibney	Litchard	Patton	Tremper
Chanler	Glaser	Mahar	Peterson	Tripp
Clark C J	Goodsell	Maloney	Phillips	Van Hoesen
Collins	Graney	Marshall	Pickett	Van Rens'aer
Costello	Green	Martin	Post	Vincent
Cottle	Greenwood	Mason	Raplee	Wallace
Coughtry	Griggs	Matteson	Redington	Weekes
Cowles	Guider	McEwan	Reisert	Weill
Crabtree	Hachemeis'r	McGuire	Roche	Whipple
Cross	Hanna	McKeown	Sage	Williams
Dale	Harburger	McLaughlin	Schmid A F	Witter
Davis	Hatch	Meyer G W	Schmid F	Zimmerman
DeGraw				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 1031, Senate reprint No. 1017) entitled "An act authorizing the dock board and park board of The City of New York to lease certain land and land under water for boathouse service" (Int. No. 744), with a message that they have concurred in the passage of the same, with the following amendments:

Section 1, line 1, after the word "board" insert the words "and park board."

Line 4, after the word "America" insert the words "or to any incorporated boat or yacht club."

Line 7, after the word "the" insert the words "park or."

Line 8, strike out the word "board" and insert the words "boards respectively."

Amend the title to read as follows:

"An act authorizing the dock board and park board of The City of New York to have certain land and land under water for boat house service."

Mr. Redington moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
 { NOES 0 }

Those who voted in the affirmative, were

Ackert	Dutton	Hatch	Mohring	Sloan
Addis	Egan	Hill	Mullany	Stoneman
Allds	Eldridge	Hoffman	Murray	Streifler
Armstrong	Ellis	Hubbard	Myers J C	Sullivan
Baker	Evarts	Hutton	O'Connor	Taylor
Boland	Finn	Ives	Oliver	Ten Eyck
Brennan E C	Fish	Johnson	Palmer	Tiffany
Brennen J F	Fitzgerald	Kavanaugh	Patton	Tompkins
Brown	Fordyce	Kelly	Perkins	Trainor
Burr	Fritz	Kelsey	Phillips	Tremper
Chanler	Fuller	Kullman	Pickett	Tripp
Cain	Gale	Litchard	Pierce	Van Hoesen
Clark C J	Gallagher	Mahar	Raplee	Van Rens'aer
Collins	Gibney	Maloney	Redington	Vincent
Costello	Glaser	Marshall	Roche	Vroman
Coughtry	Goodsell	Martin	Russell	Wallace
Cowles	Graney	Matteson	Sage	Weekes
Crabtree	Green	McEwan	Sanford	Weill
Cullen	Greenwood	McGuire	Schmid A F	Whipple
Dale	Griggs	McKeown	Schulum	Wicke
Davis	Guider	McLaughlin	Sears	Williams
Delaney	Hachemeis'r	Meyer G W	Shoeneck	Witter
Dillon	Haight	Miles	Simmons	Wright
Donnelly	Harburger	Miller	Sinsheimer	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 691, Senate reprint No. 1073) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof'" (Int. No. 619), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 11, strike out the word "no" and insert the word "the."

Same page, same line, strike out the word "shall" and insert the word "to."

Same page, line 14, commencing with the word "until" strike out all down to and including the word "necessary" in line 15.

Same page, line 15, after the word "shall" strike out the words "such rules when made" and insert the word "not."

Same page, line 16, strike out the words "or continued."

Mr. E. C. Brennan moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoffman	Mitchell	Sears
Addis	Dutton	Holbert	Mohring	Seligsberg
Adler	Egan	Hubbard	Mullany	Shoenek
Allds	Eldridge	Hutton	Murphy	Sinsheimer
Armstrong	Ellis	Ives	Myers J C	Sloan
Axtell	Evarts	Johnson	Nixon	Smith E La G
Boland	Finn	Kavanaugh	O'Connor	Stedman
Bondy	Fish	Kelly	Oliver	Stoneman
Brennan E C	Fitzgerald	Kelsey	Palmer	Sullivan
Brewster	Fritz	Kullman	Paris	Ten Eyck
Brown	Fuller	Laimbeer	Patton	Tiffany
Cain	Gallagher	Litchard	Peterson	Tompkins
Clark A L	Gibney	Lowenthal	Phillips	Tremper
Clark C J	Goodsell	Mahar	Pickett	Tripp
Costello	Green	Maloney	Pierce	Van Hoesen
Cottle	Griggs	Martin	Raplee	Van Rens'aer
Cowles	Guider	Mason	Reisert	Vincent
Crabtree	Hachemeis'r	Matteson	Roche	Wallace
Cross	Hanna	McGuire	Russell	Weekes
Cullen	Harburger	McKeown	Sanford	Weill
Davis	Hatch	McLaughlin	Schmid A F	Wicke
DeGraw	Hill	Meyer G W	Schmid F	Williams
Delaney	Hoes	Miller	Schultz	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 680, Senate reprint No. 1018) entitled "An act to authorize the payment of claims of certain persons employed in the department of collection of the late city of Brooklyn" (Int. No. 149), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 2, strike out the words "and directed."

Amend the title by striking out the words "and direct."

Mr. E. C. Brennan moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Ives	O'Connor	Simmons
Addis	Eldridge	Johnson	Oliver	Sloan
Adler	Evarts	Kavanaugh	Paris	Smith E LaG
Armstrong	Finn	Kelsey	Patton	Stedman
Axtell	Fish	Kullman	Perkins	Stoneman
Boland	Fordyce	Litchard	Peterson	Sullivan
Bondy	Fuller	Mahar	Phillips	Ten Eyck
Brennan E C	Gale	Maloney	Pickett	Tiffany
Brewster	Gallagher	Marshall	Pierce	Trainor
Brown	Glaser	Mason	Post	Tremper
Burr	Graney	Matteson	Raplee	Van Hoesen
Chanler	Green	McEwan	Redington	Van Rens'aer
Clark A L	Greenwood	McKeown	Reisert	Vroman
Clark C J	Guider	Meyer G W	Roche	Wallace
Costello	Hachemeis'r	Miles	Russell	Weekes
Coughtry	Hanna	Miller	Sage	Weill
Crabtree	Harburger	Mitchell	Schmid A F	Whipple
Cullen	Hays	Mohring	Schultz	Wicke
Dale	Hill	Murphy	Schulum	Williams
Davis	Hoes	Murray	Sears	Witter
Delaney	Holbert	Nixon	Schoeneck	Wright
Donnelly	Hubbard			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 679, Senate reprint No. 1016) entitled "An act to authorize and direct the payment of claims for salaries of clerks temporarily employed in the department of collection of the late city of Brooklyn" (Int. No. 148), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 2, strike out the words "and directed."

Amend the title by striking out the words "and direct."

Mr. E. C. Brennan moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Harburger	Mohring	Simmons
Addis	Donnelly	Hatch	Mullany	Sinsheimer
Adler	Dutton	Hays	Murphy	Sloan
Armstrong	Egan	Hill	Murray	Stedman
Axtell	Eldridge	Hoes	Myers J C	Stoneman
Baker	Ellis	Hoffman	Oliver	Streifler
Boland	Evarts	Holbert	Palmer	Sullivan
Brennan EC	Farrell	Hubbard	Paris	Taylor
Brennen J F	Finn	Hutton	Patton	Ten Eyck
Brewster	Fish	Ives	Peterson	Tiffany
Brown	Fitzgerald	Johnson	Phillips	Tompkins
Burr	Fordyce	Kavanaugh	Pickett	Trainor
Chanler	Fritz	Kelly	Pierce	Tremper
Clark A L	Fuller	Kelsey	Raplee	Tripp
Collins	Gale	Kullman	Redington	Van Hoesen
Costello	Gallagher	Laimbeer	Roche	Van Rens'aer
Cottle	Gibney	Mahar	Russell	Vroman
Coughtry	Glaser	Maloney	Sage	Wallace
Cowles	Graney	Marshall	Sanford	Weekes

Orabtree	Green	Martin	Schmid A F	Weill
Cross	Greenwood	McEwan	Schmid F	Whipple
Cullen	Griggs	McGuire	Schultz	Wicke
Dale	Guider	McKeown	Schulum	Williams
Davis	Hachemeis'r	McLaughlin	Sears	Witter
DeGraw	Haight	Miles	Seligsberg	Wright
Delaney	Hanna	Miller	Shoeneck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 983, Senate reprint No. 1015) entitled "An act to amend chapter 670 of the Laws of 1892, relative to the city of Troy, as amended by chapter 575 of the Laws of 1893, and as farther amended by chapter 389 of the Laws of 1897, on the subject of public and local improvements in said city" (Int. No. 603), with a message that they have concurred in the passage of the same, with the following amendments:

Page 5, line 5, strike out the word "five" and insert the word "four."

Page 10, line 12, strike out the word "sections" and insert the word "section."

Same page, line 13, strike out the words "and twenty."

Same page, line 14, strike out the word "sections" and insert the word "section."

Page 11, line 17, strike out the word "sections" and insert the word "section."

Same page, same line, strike out the words "and twenty."

Same page, line 18, strike out the word "act" and insert the word "title."

Strike out all of sections 3 and 4 and make § 5 read § 3.

Mr. Hutton moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hoffman	Murphy	Stoneman
Addis	Egan	Holbert	Myers J C	Streifler
Adler	Eldridge	Hutton	Nixon	Sullivan
Allds	Evarts	Ives	O'Connor	Taylor
Armstrong	Farrell	Kavanaugh	Oliver	Ten Eyck
Baker	Finn	Kelly	Perkins	Tiffany
Bondy	Fitzgerald	Kullman	Phillips	Tompkins
Brennan EC	Fritz	Laimbeer	Pickett	Tremper
Brewster	Fuller	Lowenthal	Pierce	Tripp
Burr	Gallagher	Maloney	Post	Van Hoesen
Cain	Gibney	Marshall	Redington	Vincent
Clark A L	Glaser	Mason	Roche	Vroman
Clark C J	Graney	Matteson	Sage	Wallace
Costello	Green	McEwan	Sanford	Weekes
Coughtry	Greenwood	McKeown	Schmid F	Weill
Cowles	Guider	McLaughlin	Schultz	Whipple
Crabtree	Hachemeis'r	Meyer G W	Sears	Wicke
Cullen	Hanna	Miller	Seligsberg	Williams
Dale	Harburger	Mitchell	Sinsheimer	Witter
DeGraw	Hatch	Mohring	Sloan	Wright
Delaney	Hill	Mullany	Stedman	Zimmerman
Donnelly	Hoes			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence a resolution in the words following:

Whereas, On April 15, 1861, the people of the State of New York, represented in Senate and Assembly, did enact (chapter 277) an act entitled "An act to authorize the enrolling and equipment of a volunteer militia, and to provide for the public defense," in which these provisions are made, namely:

"Section 1. The Governor, Lieutenant-Governor, Secretary of State, Comptroller, Attorney-General, State Engineer and Surveyor and State Treasurer, or a majority of them, are hereby authorized and empowered to accept the service and to cause to be enrolled and mustered into the service of the State, for two years, unless sooner discharged by the order of the officers above named, volunteers, in their discretion as to the number, not to exceed 30,000 men, to be officered, organized and equipped in such manner as the said officers, or a majority of them, may order and di-

rect, and to be formed and organized without regard to existing military districts, the said force hereby authorized being in addition to the present military organization of the State, and a part of the militia thereof."

"§ 3. The officers and men of the said force shall receive the same pay and rations while in service under the provisions of this act as officers and men of the same rank and arm of service in the army of the United States, and shall be liable at all times to be turned over to the service of the United States on the order of the Governor, as a part of the militia of this State, upon the requisition of the President of the United States;" and

Whereas, The Twenty-seventh New York Volunteer Infantry was organized under this law and was accepted into the State service on May 21, 1861, with a total enrollment aggregating 754 men; and

Whereas, On July 9 and 10, 1861, they were mustered and "accepted into the service of the United States for the term of two years from the 21st day of May, 1861;" and

Whereas, Prior to the above muster the officers of the different companies under the command of Colonel, afterwards Major-General, Slocum, had recruited a number of men for each of the companies of said regiment, and these men being then and there in camp; and

Whereas, These recruits embarked with their companies on board the cars at Elmira, New York, on the afternoon of July 10, 1861, and were thence conveyed at once to Washington, District of Columbia, where they were mustered and accepted into the service of the United States on July 15, 1861; and

Whereas, They were immediately armed, partly uniformed and conducted to the front, where they were at once incorporated into the various companies of said regiment; and

Whereas, These recruits participated in the first battle of Bull Run, with their regiment, and in all subsequent engagements and service of the said regiment; and

Whereas, The said regiment was mustered out of the service of the United States at Elmira, N. Y., on the 31st day of May, 1863, it being held that each and every member who left the State with the regiment on the 10th day of July, 1861, had completed the term of his enlistment; and

Whereas, To each of the original members of said regiment who had been engaged in the service of the State of New York from the 21st day of May, 1861, to the 10th day of July, 1861, and which service was accredited to them as having been a part of their two years' enlistment, there was paid upon final discharge a bounty of \$100, under the act of Congress, approved July 22,

1861, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property;" and

Whereas, Under section 13 of an act entitled "An act making appropriations for sundry civil expenses of the government for the year ending June 30, 1867, and for other purposes," approved July 28, 1866, the men mentioned in the preceding paragraph have received an additional bounty of \$50; and

Whereas, All the members of the said Twenty-seventh New York Volunteer Infantry who had been recruited by its officers during the month of July, 1861, and prior to the 9th day thereof, received at discharge no bounty and are held not to be entitled to the additional bounty granted under the act of July 28, 1866; and

Whereas, The effect of the administration of the aforesaid laws, as applied to the members of the Twenty-seventh New York Volunteers, is to give the original bounty of \$100 provided by act of July 22, 1861, and the \$50 additional bounty provided by the act of July 28, 1866, for forty-nine days' service in the militia of the State of New York, said service being performed in said State, and to deny any bounty to others who saw the same service in the same company and regiment and for the same time in the army of the United States; and

Whereas, Similar conditions obtained in other two years' regiments; therefore,

Resolved (if the Assembly concur), That the Senators and Representatives in Congress from the State of New York are respectfully requested to support "House of Representatives bill No. 5514, entitled 'A bill providing for the payment of bounty to certain New York State volunteer militia who served in the war of the rebellion.'"

Resolved, That a certified copy of this resolution be sent to the Senators and Representatives from this State.

Said resolution was referred to the committee on rules.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That the Clerks of the Senate and Assembly prepare and cause to be printed and bound 5,000 copies of the memorial proceedings of the Legislature on the death of Hon. Joseph Mullen, to be distributed as follows: Four thousand copies for the use of the members of the Legislature; 500 copies to the officers and reporters of the Legislature; 300 copies to the family of the deceased; 200 copies to the State officers.

Said resolution was referred to the committee on rules.

Mr. McLaughlin offered for the consideration of the House a resolution, in the words following:

Resolved, That the vote by which Senate bill (No. 363) entitled "An act to amend the Game Law, and the acts amendatory thereof, relating to the hunting and killing of deer in the counties of Ulster, Greene, Delaware and Sullivan" (Rec. No. 97), was passed, be reconsidered, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of the Senate bill (No. 1057) entitled "An act in relation to certain lands owned by The City of New York, in the borough of Brooklyn, known as the Wallabout lands, and the improvement, leasing and maintenance thereof" (Rec. No. 324), for the purpose of transmitting a certified copy to the mayor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 28, 1898.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 651, entitled "An act to amend section 3 of chapter 107 of the Laws of 1887, entitled 'An act to incorporate the Nyack fire department and to exempt its property from taxation.'" (Int. No. 599.)

FRANK S. BLACK.

Mr. Wallace offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That the bill (No. 911) entitled "An act to protect navigation in certain tide waters within the State of New York" (Int. No. 164), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution that Assembly bill (No. 911) entitled "An act to protect navigation in certain tide waters within the State of New York" (Int. No. 164), be returned to the Governor, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1763) entitled "An act to incorporate the Electric Water Power Company of Oneonta, Otsego county" (Int. No. 1295), with a message that they have concurred in the passage of the same, without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James K. McGuire, mayor of the city of Syracuse, returning the bill (No. 843) entitled "An act to amend chapter 342 of the Laws of 1892, entitled 'An act to establish a local court of civil jurisdiction in the city of Syracuse, to be called the Municipal Court of the city of Syracuse, and to amend the charter of said city,' as amended by chapter 137 of the Laws of 1894 and chapter 700 of the Laws of 1896" (Int. No. 750), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James K. McGuire, mayor of the city of Syracuse, returning the bill (No. 899) entitled "An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of placing the wires, cables and appurtenances required for the service of the police and fire departments of said city, underground in subways of the Central New York Telephone and Telegraph Company" (Int. No. 783), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented the report of the Superintendent of Public Instruction; which was laid upon the table and ordered printed.

(See Document.)

Mr. Laimbeer presented the Thirty-second Annual Report of the American Society for the Prevention of Cruelty to Animals; which was laid upon the table and ordered printed.

(See Document.)

Indefinite leave of absence was granted to Mr. Delaney.

Mr. Nixon gave notice that he requests that the bill (No. 1836) entitled "An act to amend the Penal Code, in reference to the use of non-transferable entrance tickets" (Int. No. 1130), be referred to the committee on rules, to be made a special order.

Mr. Trainor gave notice that he requests that Senate bill (No. 700) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, and part of the county of Queens, and to provide for the government thereof,' relative to leases for public purposes" (Rec. No. 282), be referred to the committee on rules, to be made a special order.

Mr. Perkins gave notice that he requests that the Senate bill (No. 1052) entitled "An act to regulate the use of bicycles, and to prevent discrimination in ordinances affecting the same" (Rec. No. 338), be referred to the committee on rules, to be made a special order.

Mr. DeGraw gave notice that he requests the bill (No. 1795) entitled "An act to annul and dissolve the corporation known as 'The Inebriates' Home for Kings County'" (Int. No. 1309), be referred to the committee on rules, to be made a special order.

Mr. Miller gave notice that he requests the bill (No. 1796) entitled "An act to amend the Tax Law, in relation to the transfer tax assistant district attorney" (Int. No. 630), be referred to the committee on rules, to be made a special order.

Mr. Allds gave notice that he requests the Senate bill (No. 28, Assembly reprint No. 1839) entitled "An act for the release to William R. Peters of any claim of the people of the State of New York in and to certain lands within the city of New York" (Rec. No. 11), be referred to the committee on rules, to be made a special order.

Mr. Costello gave notice that he requests the bill (No. 1838) entitled "An act to amend the Fisheries, Game and Forest Law, relating to the transportation of certain fish and game from the counties of Oswego and Lewis" (Int. No. 696), be referred to the committee on rules, to be made a special order.

Mr. Allds gave notice that he requests the Senate bill (No. 31) entitled "An act regarding sales of real property under judgments for the partition and sale of real property, heretofore made, to guardians in socage of infant parties to actions" (Rec. No. 308), be referred to the committee on rules, to be made a special order.

Mr. Eldridge gave notice that he requests the bill (No. 1828) entitled "An act to amend the Railroad Law, relative to the use of sand upon tracks" (Int. No. 524), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests the Senate bill (No. 855, Assembly reprint No. 1866), entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims" (Rec. No. 238), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests the Senate bill (No. 854, Senate reprint No. 1865) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State" (Rec. No. 237), be referred to the committee on rules, to be made a special order.

Mr. Perkins gave notice that he requests the Senate bill (No. 724, Assembly reprint No. 1847) entitled "An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnish-

ing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir " (Rec. No. 272), be referred to the committee on rules, to be made a special order.

Mr. Perkins gave notice that he requests the bill (No. 1856) entitled " An act to amend chapter 413 of the Laws of 1897, entitled ' An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law,' in reference to the education fund " (Int. No. 417), be referred to the committee on rules, to be made a special order.

Mr. Oliver gave notice that he requests the bill (No. 1357) entitled " An act to provide for the proper labeling of poisonous articles " (Int. No. 1078), be referred to the committee on rules, to be made a special order.

Mr. Perkins gave notice that he requests the Senate bill (No. 723) entitled " An act to amend the Railroad Law, in relation to substituted lines in cases of eminent domain " (Rec. No. 359), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests the bill (No. 1867) entitled " An act to prevent evils and abuses in connection with the placing out of children " (Int. No. 1367), be referred to the committee on rules, to be made a special order.

Mr. Armstrong gave notice that he requests the bill (No. 1585) entitled " An act to amend section 447 of the Penal Code, in relation to private or farm railroad crossings " (Int. No. 1211), be referred to the committee on rules, to be made a special order.

Mr. Palmer gave notice that he requests the Senate bill (No. 1100) entitled " An act to amend chapter 1027 of the Laws of 1895, entitled ' An act in relation to the issue of mileage books by railroad corporations " (Rec. No. 344), be referred to the committee on rules, to be made a special order.

Mr. Marshall gave notice that he requests the bill (No. 1831) entitled " An act to authorize the Court of Claims to hear and audit the alleged claim of certain auctioneers, and to make awards

thereon" (Int. No. 703), be referred to the committee on rules, to be made a special order.

Mr. Tiffany gave notice that he requests the bill (No. 1674) entitled "An act in relation to proceedings for the opening of streets and avenues and closing old roads or highways in the late city of Brooklyn, commenced prior to its annexation with The City of New York, and to provide for the completion of the same" (Int. No. 1242), be referred to the committee on rules, to be made a special order.

Mr. Miller gave notice that he requests the bill (No. 1786) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relative to taxes" (Int. No. 1005), be referred to the committee on rules, to be made a special order.

Mr. Sanford gave notice that he requests the bill (No. 751) entitled "An act entitled 'An act to amend chapter 182 of the Laws of 1892, entitled An act to incorporate the city of Mount Vernon, and to be known as section 205a of said act,' relating to the issue of highway repair bonds" (Int. No. 667), be referred to the committee on rules to be made a special order.

Mr. Sanford gave notice that he requests that the bill (No. 1825) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers'" (Int. No. 1349), be referred to the committee on rules, to be made a special order.

Mr. Sanford gave notice that he requests that the bill (No. 1274) entitled "An act to provide for the construction, operation and maintenance of an outlet sewer for the city of Mount Vernon" (Int. No. 1029), be referred to the committee on rules, to be made a special order.

Mr. Roche gave notice that he requests that the bill (No. 1588) entitled "An act concerning certain corporations" (Int. No. 1214), be referred to the committee on rules, to be made a special order.

Mr. Hatch gave notice that he requests that the bill (No. 1870) entitled "An act to relieve Charles S. Harrison, who was elected a justice of the peace of the town of Woodhull, Steuben county,

on the 22d day of February, 1898, from any liability or forfeiture by reason of failure to file a statement of election expenses within the time required by law " (Int. No. 1369), be referred to the committee on rules, to be made a special order.

Mr. Allds gave notice that he requests that the bill (No. 1842) entitled "An act to amend section 3320 of the Code of Civil Procedure, relative to receivers' commissions " (Int. No. 1355), be referred to the committee on rules, to be made a special order.

Mr. McGuire gave notice that he requests that the bill (No. 1754) entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor,' and constituting chapter 32 of the general laws, by amending sections 2, 61, 110 and 113 thereof, and by adding thereto new sections to be entitled sections 116 and 117 " (Int. No. 998), be referred to the committee on rules, to be made a special order.

Mr. McKeown gave notice that he requests that the Senate bill (No. 906) entitled "An act to confirm and legalize certain taxes heretofore levied, or attempted to be levied, in that portion of The City of New York formerly constituting the city of Brooklyn, and in relation to the payment of the same " (Rec. No. 358), be referred to the committee on rules, to be made a special order.

Mr. Adler gave notice that he requests the Senate bill (No. 441) entitled " An act to repeal sections 1824 to 1838 of the New York consolidation act, and the acts amendatory thereof, relating to mechanics' liens on account of public improvements in The City of New York, as constituted before the taking effect of the New York Charter " (Rec. No. 218), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests the Senate bill (No. 1005) entitled " An act to amend chapter 723 of the Laws of 1895, known as the Religious Corporations Law " (Rec. No. 361), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests the Senate bill (No. 878) entitled " An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John Moore against the State for damages alleged to have been sus-

tained by him, and to render judgment therefor " (Rec. No. 362), be referred to the committee on rules, to be made a special order.

Mr. Davis gave notice that he requests the Senate bill (No. 1080) entitled " An act to amend chapter 225 of the Laws of 1896, entitled ' An act in relation to the poor, constituting chapter 27 of the general laws,' in relation to the relief of indigent soldiers, sailors and marines, resident in cities of the first class " (Rec. No. 350), be referred to the committee on rules, to be made a special order.

Mr. C. J. Clark gave notice that he requests the Senate bill (No. 988) entitled " An act to provide a clerk for the justice of the Supreme Court residing in Jefferson county " (Rec. No. 348), be referred to the committee on rules, to be made a special order.

Mr. C. J. Clark gave notice that he requests the Senate bill (No. 1024) entitled " Concurrent resolution of the Senate and Assembly, proposing an amendment to article 6, section 7 of the Constitution, relating to the Court of Appeals " (Rec. No. 349), be referred to the committee on rules, to be made a special order.

Mr. Lowenthal gave notice that he requests the Senate bill (No. 1025) entitled " An act to amend the Penal Code, relating to the sale of poisonous substances by druggists and pharmacists upon physicians' prescriptions " (Rec. No. 355), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests the Senate bill (No. 1005) entitled " An act to amend chapter 723 of the Laws of 1895, known as the Religious Corporations Law " (Rec. No. 361), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests the Senate bill (No. 878) entitled " An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John Moore against the State for damages alleged to have been sustained by him, and to render judgment therefor " (Rec. No. 362), be referred to the committee on rules, to be made a special order.

Mr. Davis gave notice that he requests the Senate bill (No. 1080) entitled " An act to amend chapter 225 of the Laws of 1896, entitled ' An act in relation to the poor, constituting chapter 27

of the general laws,' in relation to the relief of indigent soldiers, sailors and marines resident in cities of the first class " (Rec. No. 350), be referred to the committee on rules, to be made a special order.

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Mr. Lowenthal gave notice that he requests the Senate bill (No. 1025) entitled " An act to amend the Penal Code, relating to the sale of poisonous substances by druggists and pharmacists upon physicians' prescriptions " (Rec. No. 355), be referred to the committee on rules, to be made a special order.

Mr. Donnelly gave notice that he requests the Senate bill (No. 1086) entitled " An act to amend chapter 378 of the Laws of 1897, entitled ' An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to school buildings " (Rec. No. 377), be referred to the committee on rules, to be made a special order.

Mr. Hill gave notice that he requests the Senate bill (No. 787) entitled " An act to authorize the abandonment of the Main and Hamburg street canal, in the city of Buffalo, the abatement of the nuisance created thereby, and vesting the title and ownership to the lands and premises included therein in said city " (Rec. No. 289), be referred to the committee on rules, to be made a special order.

On motion of Mr. Nixon, the House adjourned to meet to-morrow morning at 10.30 o'clock.

TUESDAY, MARCH 29.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Forrest Hallenbeck.

On motion of Mr. Hill, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker, from the committee on rules, to which was referred the following-entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately.

“An act to amend the Penal Code, in reference to the use of non-transferable entrance tickets.” (No. 1836, Int. No. 1130.)

Senate, “An act to amend chapter 378 of the Laws of 1897, entitled ‘An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings and part of the county of Queens, and to provide for the government thereof,’ relative to leases for public purposes.” (No. 700, Rec. No. 282.)

Senate, “An act to regulate the use of bicycles, and to prevent discrimination in ordinances affecting the same.” (No. 1052, Rec. No. 338.)

“An act to annul and dissolve the corporation known as ‘The Inebriates’ Home for Kings County.’” (No. 1795, Int. No. 1309.)

“An act to amend the Tax Law, in relation to the transfer tax assistant district attorney.” (No. 1796, Int. No. 630.)

Senate, “An act for the release to William R. Peters of any claim of the people of the State of New York in and to certain lands within the city of New York.” (No. 28, Assembly reprint No. 1839, Rec. No. 11.)

“An act to amend the Fisheries, Game and Forest Law, relating to the transportation of certain fish and game from the counties of Oswego and Lewis.” (No. 1838, Int. No. 696.)

Senate, “An act regarding sales of real property under judg-

ments for the partition and sale of real property, heretofore made, to guardians in socage of infant parties to actions." (No. 31, Rec. No. 308.)

"An act to amend the Railroad Law, relative to the use of sand upon tracks." (No. 1828, Int. No. 524.)

Senate, "An act to make an appropriation for the payment of the judgments of the Court of Claims." (No. 855, Assembly reprint No. 1866, Rec. No. 238.)

Senate, "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State." (No. 854, Assembly reprint No. 1865, Rec. No. 237.)

Senate, "An act to incorporate The Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir." (No. 724, Assembly reprint No. 1847, Rec. No. 272.)

"An act to amend chapter 413 of the Laws of 1897, entitled 'An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law,' in reference to the education fund." (No. 1856, Int. No. 417.)

"An act to provide for the proper labeling of poisonous articles." (No. 1357, Int. No. 1078.)

Senate, "An act to amend the Railroad Law, in relation to substituted lines in cases of eminent domain." (No. 723, Rec. No. 359.)

"An act to prevent evils and abuses in connection with the placing out of children." (No. 1867, Int. No. 1367.)

"An act to amend section 447 of the Penal Code, in relation to private or farm railroad crossings." (No. 1585, Int. No. 1211.)

Senate, "An act to amend chapter 1027 of the Laws of 1895, entitled 'An act in relation to the issue of mileage books by railroad corporations.'" (No. 1100, Rec. No. 344.)

“An act to authorize the Court of Claims to hear and audit the alleged claim of certain auctioneers, and to make awards thereon.” (No. 1831, Int. No. 703.)

“An act in relation to proceedings for the opening of streets and avenues and closing old roads or highways in the late city of Brooklyn, commenced prior to its annexation with The City of New York, and to provide for the completion of the same.” (No. 1674, Int. No. 1242.)

“An act to amend chapter 105 of the Laws of 1891, entitled ‘An act to revise the charter of the city of Buffalo,’ relative to taxes.” (No. 1786, Int. No. 1005.)

“An act entitled ‘An act to amend chapter 182 of the Laws of 1892, entitled An act to incorporate the city of Mount Vernon, and to be known as section 205a of said act,’ relating to the issue of highway repair bonds.” (No. 751, Int. No. 667.)

“An act to amend chapter 635 of the Laws of 1895, entitled ‘An act to revise the charter of the city of Yonkers.’” (No. 1825, Int. No. 1349.)

“An act to provide for the construction, operation and maintenance of an outlet sewer for the city of Mount Vernon.” (No. 1274, Int. No. 1029.)

“An act concerning certain corporations.” (No. 1588, Int. No. 1214.)

“An act to relieve Charles S. Harrison, who was elected a justice of the peace of the town of Woodhull, Steuben county, on the 22d day of February, 1898, from any liability or forfeiture by reason of failure to file a statement of election expenses within the time required by law.” (No. 1870, Int. No. 1369.)

“An act to amend section 3320 of the Code of Civil Procedure, relative to receivers’ commissions.” (No. 1842, Int. No. 1355.)

“An act to amend chapter 415 of the Laws of 1897, entitled ‘An act in relation to labor, and constituting chapter 32 of the general laws, by amending sections 2, 61, 110 and 113 thereof, and by adding thereto new sections to be entitled sections 116 and 117.’” (No. 1833, Int. No. 998.)

Senate, "An act to confirm and legalize certain taxes heretofore levied, or attempted to be levied, in that portion of The City of New York formerly constituting the city of Brooklyn, and in relation to the payment of the same." (No. 906, Rec. No. 358.)

Senate, "An act to repeal sections 1824 to 1838 of the New York consolidation act, and the acts amendatory thereof, relating to mechanics' liens on account of public improvements in The City of New York, as constituted before the taking effect of the New York charter." (No. 441, Rec. No. 218.)

Senate, "An act to amend chapter 723 of the Laws of 1895, known as the Religious Corporations Law." (No. 1005, Rec. No. 361.)

Senate, "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John Moore against the State for damages alleged to have been sustained by him, and to render judgment therefor." (No. 878, Rec. No. 362.)

Senate, "An act to amend chapter 225 of the Laws of 1896, entitled 'An act in relation to the poor, constituting chapter 27 of the general laws,' in relation to the relief of indigent soldiers, sailors and marines in cities of the first class." (No. 1080, Rec. No. 350.)

Senate, "An act to provide a clerk for the justice of the Supreme Court residing in Jefferson county. (No. 988, Rec. No. 348.)

Senate, "Concurrent resolution of the Senate and Assembly, proposing an amendment to article 6 section 7 of the Constitution, relating to the Court of Appeals." (No. 1024, Rec. No. 349.)

Senate, "An act to amend the Penal Code, relating to the sale of poisonous substances by druggists and pharmacists upon physicians' prescriptions." (No. 1025, Rec. No. 355.)

Senate, "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county Queens, and to provide for the government thereof,' in relation to the

normal college of the city of New York." (No. 200, Rec. No. 265.)

Senate, "An act to amend chapter 671 of the Laws of 1897, entitled 'An act to authorize the board of estimate and apportionment of The City of New York to examine the claim of Mary E. Ward, surviving partner of the firm of Warren Ward Company, for extra work done in the enlargement and equipment of the Metropolitan Museum or Art.'" (No. 872, Rec. No. 356.)

Senate, "An act to release and grant the interest of the people of the State of New York in certain real estate in the borough of Brooklyn, New York City, county of Kings and State of New York, to Nellie McNeill and Georgianna McNeill Griffiths, formerly Georgianna McNeill, their legal representatives and devisees." (No. 1039, Rec. No. 34.)

Senate, "An act authorizing the State Engineer and Surveyor to continue to co-operate with the director of the United States Geological Survey in making a topographic survey and map of the State of New York, and making an appropriation therefor." (No. 925, Rec. No. 352.)

Senate, "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to school buildings." (No. 1086, Rec. No.)

"An act to authorize the abandonment of the Main and Hamburg street canal, in the city of Buffalo, the abatement of the nuisance created thereby, and vesting the title and ownership to the lands and premises included therein in said city." (No. 787, Int. No. 289.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately.

The Senate sent for concurrence the following entitled bills:

"An act to amend section 3379 of the Code of Civil Procedure, relative to possession on security or deposit in proceedings for the condemnation of real property, by adding thereto a provision

as to costs " (No. 1022, Rec. No. 366), which was read the first time and referred to the committee on codes.

"An act to amend section 6 of chapter 55 of the Laws of 1879, entitled 'An act to provide for the election of a police justice in the town of Waterford, county of Saratoga' " (No. 1090, Rec. No. 367), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers' " (No. 1088, Rec. No. 368), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 937 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the collection of unpaid taxes and assessments levied prior to January 1st, 1898 " (No. 405, Rec. No. 369), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 3 of chapter 231 of the Laws of 1876, entitled 'An act to make the officer of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and compensation of other officers of said board,' as amended by chapter 195 of the Laws of 1879, as further amended by chapter 485 of the laws of 1892, in relation to the officers of the board of supervisors " (No. 1098, Rec. No. 370), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Real Property Law, in relation to the recording of conveyances " (No. 572, Rec. No. 371), which was read the first time and referred to the committee on the judiciary.

"An act to provide for a change of motive power in the operation of certain railways in and near public parks in the cities of the State of New York " (No. 976, Rec. No. 372), which was read the first time and referred to the committee on affairs of cities.

"An act conferring jurisdiction upon the Comptroller of the State to hear and determine the application of Charles D. Shaw,

executor of the estate of Abijah B. Shaw, for the cancellation of the tax sale for unpaid taxes of all that tract or parcel of land situate in the northeast quarter of the township of Sherwood, Saint Lawrence county, known as Joe's Point, otherwise Joe Indian Island, in Cranberry lake " (No. 1096, Rec. No. 373), which was read the first time and referred to the committee on the judiciary.

" An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Hall against the State for damages alleged to have been sustained by him, and to render judgment therefor " (No. 1094, Rec. No. 374), which was read the first time and referred to the committee on claims.

" An act to enable the city of Albany to pay sundry debts " (No. 1095, Rec. No. 375), which was read the first time and referred to the committee on affairs of cities.

" An act further to provide for the office of inspector of construction, alteration and repairs of public buildings in the county of Kings, and to define certain powers and duties " (No. 546, Rec. No. 376), which was read the first time and referred to the committee on affairs of cities.

" An act to amend chapter 378 of the Laws of 1897, entitled ' An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to school buildings " (No. 1086, Rec. No. 377), which was read the first time and referred to the committee on affairs of cities.

" An act authoriing the board of police of the city of Yonkers to borrow money for the purpose of defraying the necessary expenses of the said board of police and police force " (No. 1107, Rec. No. 378), which was read the first time and referred to the committee on affairs of cities.

" An act to authorize and require the town of Cortlandt, in the county of Westchester, to pay to the village of Croton-on-the-Hudson the highway tax to be collected from property within the corporate limits of said village " (No. 1123, Rec. No. 379), which

was read the first time and referred to the committee on internal affairs.

“An act to amend section 22 of title 5 of chapter 818 of the Laws of 1868, entitled ‘An act to incorporate the village of Port Chester’ ” (No. 1121, Rec. No. 380), which was read the first time and referred to the committee on affairs of villages.

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the Sherry Cottage Company, the Metropolitan Rubber Company and the American Axe and Tool Company against the State for taxes alleged to have been erroneously paid to the Comptroller ” (No. 1129, Rec. No. 381), which was read the first time and referred to the committee on claims.

“An act to prevent fraudulent representation in labor organizations ” (No. 1106, Rec. No. 382), which was read the first time and referred to the committee on labor and industries.

“An act to amend section 383 of the Code of Civil Procedure ” (No. 1135, Rec. No. 383), which was read the first time and referred to the committee on codes.

“An act to provide for the removal of the remains of Colonel Christopher Greene and Major Ebenezer Flagg, and the erection of a monument to their memory ” (No. 1146, Rec. No. 384), which was read the first time and referred to the committee on internal affairs.

“An act conferring upon the Board of Claims jurisdiction to hear, audit and determine the alleged claims of Thomas A. Pine and others for materials furnished and work performed in connection with the State armory and drill-room at Walton, New York ” (No. 1103, Rec. No. 385), which was read the first time and referred to the committee on claims.

“An act to amend chapter 15 of the Laws of 1898, entitled ‘An act to provide for the appointment of a canal investigating commission, and making an appropriation therefor,’ in relation to the report of such commission ” (No. 1112, Rec. No. 386), which was read the first time and referred to the committee on ways and means.

“An act to amend the Fisheries, Game and Forest Law, in relation to wild Mongolian ring-necked pheasants ” (No. 1108,

Rec. No. 387), which was read the first time and referred to the committee on fisheries and game.

“An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of constructing a bridge over the Erie canal at Bridge street in the city of Syracuse” (No. 1101, Rec. No. 388), which was read the first time and referred to the committee on ways and means.

“An act to amend the Election Law, relating to the division and alteration of election districts” (No. 608, Rec. No. 389), which was read the first time and referred to the committee on the judiciary.

“An act providing for the construction of a lift or hoist bridge over the Erie canal, on Washington street, in the city of Utica, and making an appropriation therefor, and authorizing the city of Utica to raise money for the construction thereof” (No. 1133, Rec. No. 390), which was read the first time and referred to the committee on ways and means.

“An act to amend chapter 227 of the Laws of 1883, entitled ‘An act to amend chapter 421 of the Laws of 1855, entitled An act to regulate the liability of hotel keepers, and to amend chapter 802 of the Laws of 1871, entitled An act to amend chapter 677 of the Laws of 1867, entitled An act to prevent fraud and fraudulent practices upon or by hotel keepers and inn keepers’” (No. 730, Rec. No. 391), which was read the first time and referred to the committee on the judiciary.

“An act to amend the Railroad Law, relating to the better protection of railway employes and others, by filling the angles, frogs, guard-rails, switches and crossings of railroads” (No. 1099, Rec. No. 392), which was read the first time and referred to the committee on railroads.

“An act in relation to the keeper of the hall of records in the county of Kings” (No. 1142, Rec. No. 393), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker announced the special order being the Senate bill (No. 700) entitled “An act to amend chapter 378 of the Laws of 1897, entitled ‘An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city

and county of New York, the city of Brooklyn and the county of Kings and part of the county of Queens, and to provide for the government thereof,' relative to leases for public purposes." (Rec. No. 282.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hatch	Mullany	Simmons
Addis	DeGraw	Hays	Murphy	Sinsheimer
Adler	Delaney	Hill	Murray	Sloan
Allds	Dillon	Hoffman	Myers J C	Smith E La G
Armstrong	Donnelly	Holbert	Nixon	Stedman
Axtell	Dutton	Hubbard	O'Connor	Stoneman
Baker	Egan	Hutton	Oliver	Streifer
Boland	Eldridge	Ives	Palmer	Sullivan
Bondy	Ellis	Johnson	Paris	Taylor
Brennan E C	Evarts	Kavanaugh	Patton	Ten Eyck
Brennen J F	Farrell	Kelly	Perkins	Tiffany
Brewster	Gale	Mahar	Peterson	Tompkins
Brown	Gallagher	Maloney	Phillips	Trainor
Burr	Gibney	Marshall	Pickett	Tremper
Cain	Glaser	Martin	Reisert	Tripp
Chanler	Goodsell	Mason	Roche	Van Hoesen
Clark A L	Graney	McEwan	Russell	Van Rens'aer
Clark C J	Green	McGuire	Sage	Weill
Collins	Greenwood	McKeown	Sanford	Whipple
Costello	Griggs	McLaughlin	Schmid A F	Wicke
Cottle	Guider	Meyer G W	Schultz	Williams
Crabtree	Hachemeis'r	Miles	Sears	Witter
Cross	Haight	Miller	Seligsberg	Wright
Cullen	Hanna	Mitchell	Shoeneck	Zimmerman
Dale	Harburger	Mohring		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1052) entitled "An act to regulate the use of bicycles, and to prevent discrimination in ordinances affecting the same." (Rec. No. 338.)

On motion of Mr. Armstrong, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 2 }

Those who voted in the affirmative, were

Addis	Ellis	Kelly	Nixon	Simmons
Adler	Evarts	Kelsey	O'Connor	Sinsheimer
Allds	Farrell	Kullman	Oliver	Sloan
Armstrong	Finn	Laimbeer	Palmer	Smith E LaG
Baker	Fordyce	Litchard	Paris	Stedman
Bondy	Fritz	Lowenthal	Patton	Stoneman
Brennan E C	Goodsell	Mahar	Pierce	Sullivan
Brennen J F	Green	Maloney	Post	Taylor
Brewster	Griggs	Marshall	Raplee	Ten Eyck
Burr	Guider	Martin	Redington	Tiffany
Clark C J	Haight	Mason	Reisert	Trainor
Collins	Hanna	Matteson	Roche	Tremper
Coughtry	Harburger	McEwan	Russell	Tripp
Cowles	Hatch	McLaughlin	Sage	Van Hoesen
Crabtree	Hays	Meyer G W	Sanford	Van Rens'aer
Cullen	Hill	Miles	Schmid A F	Vincent
Davis	Hoffman	Miller	Schmid F	Wallace
DeGraw	Holbert	Mitchell	Shultz	Weekes
Dillon	Hubbard	Mohring	Schulum	Whipple
Donnelly	Hutton	Mullany	Sears	Williams
Dutton	Ives	Murphy	Seligsberg	Wright
Egan	Johnson	Murray	Shoeneck	Zimmerman
Eldridge	Kavanaugh	Myers J C		

Those who voted in the negative, were
Fish Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1795) entitled "An act to annul and dissolve the corporation known as 'The Inebriates' Home for Kings County.'" (Int. No. 1309.)

On motion of Mr. DeGraw, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hanna	Miller	Sears
Addis	DeGraw	Harburger	Mitchell	Seligsberg
Adler	Delaney	Hatch	Mohring	Shoeneck
Armstrong	Dillon	Hays	Mullany	Schultz
Axtell	Donnelly	Hill	Murphy	Simmons
Baker	Dutton	Hoes	Myers J C	Sinsheimer
Boland	Egan	Hoffman	Nixon	Smith E La G
Bondy	Eldridge	Holbert	O'Connor	Stedman
Brennan E C	Ellis	Hubbard	Oliver	Stoneman
Brennen J F	Evarts	Kelsey	Palmer	Streifler
Brewster	Farrell	Kullman	Paris	Sullivan
Brown	Finn	Laimbeer	Patton	Taylor
Burr	Fitzgerald	Litchard	Perkins	Ten Eyck
Cain	Fordyce	Lowenthal	Peterson	Tiffany
Chanler	Fritz	Mahar	Phillips	Tompkins
Clark A L	Fuller	Maloney	Pickett	Vincent
Clark C J	Gale	Marshall	Pierce	Vroman
Collins	Gallagher	Martin	Post	Wallace
Costello	Gibney	Mason	Reisert	Weekes
Cottle	Glaser	Matteson	Roche	Weill
Coughtry	Goodsell	McEwan	Sage	Whipple
Cowles	Graney	McGuire	Sanford	Williams
Crabtree	Green	McKeown	Schmid A F	Witter
Cross	Greenwood	McLaughlin	Schmid F	Wright
Cullen	Hachemeis'r	Meyer G W	Schultz	Zimmerman
Dale	Haight	Miles	Schulum	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1796) entitled "An act to amend the Tax Law, in relation to the transfer tax assistant district attorney." (Int. No. 630.)

On motion of Mr. Miller, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 141 }
 { NOES 1 }

Those who voted in the affirmative, were

Ackert	Delaney	Hoes	Mullany	Seligsberg
Addis	Dillon	Holbert	Murphy	Shoeneck
Adler	Donnelly	Hubbard	Murray	Simmons
Allds	Dutton	Hutton	Myers J C	Sinsheimer
Armstrong	Egan	Ives	Nixon	Sloan
Axtell	Eldridge	Johnson	O'Connor	Smith E LaG
Baker	Ellis	Kavanaugh	Oliver	Stedman
Boland	Evarts	Kelly	Palmer	Streifler
Bondy	Farrell	Kelsey	Paris	Sullivan
Brennan E C	Finn	Kullman	Patton	Taylor
Brennen J F	Fish	Laimbeer	Perkins	Ten Eyck
Brewster	Fuller	Litchard	Peterson	Tiffany
Brown	Gale	Lowenthal	Phillips	Tompkins
Burr	Gallagher	Mahar	Pickett	Trainor
Cain	Gibney	Maloney	Pierce	Tremper
Chanler	Glaser	Marshall	Post	Tripp
Clark A L	Goodsell	Martin	Raplee	Van Hoesen
Clark C J	Graney	Mason	Redington	Van Rens' aer
Collins	Green	Matteson	Reisert	Vincent
Costello	Greenwood	McEwan	Roche	Wallace
Cottle	Griggs	McGuire	Russell	Weekes
Coughtry	Guider	McKeown	Sage	Weill
Cowles	Hachemeis'r	McLaughlin	Sanford	Whipple

Crabtree	Haight	Meyer G W	Schmid A F	Wicke
Cross	Hanna	Miles	Schmid F	Williams
Cullen	Harburger	Miller	Schultz	Witter
Dale	Hatch	Mitchell	Schulum	Wright
Davis	Hays	Mohring	Sears	Zimmerman
DeGraw				

In the negative

Vroman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 28, Assembly reprint No. 1839) entitled "An act for the release to William R. Peters of any claim of the people of the State of New York in and to certain lands within the city of New York." (Rec. No. 11.)

On motion of Mr. Trainor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 56 }

Those who voted in the affirmative, were

Addis	Cross	Hill	McLaughlin	Sloan
Adler	Davis	Hoes	Miles	Smith E LaG
Allds	DeGraw	Holbert	Miller	Stedman
Armstrong	Eldridge	Ives	Murphy	Taylor
Axtell	Ellis	Johnson	Nixon	TenEyck
Baker	Evarts	Kavanaugh	Oliver	Tiffany
Bondy	Finn	Kelly	Patton	Tripp
Brennan EC	Fish	Kelsey	Perkins	Van Renssel'r
Brewster	Fuller	Litchard	Peterson	Vincent
Burr	Goodsell	Lowenthal	Pierce	Wallace
Clark A L	Greenwood	Marshall	Post	Whipple

Clark C J	Guider	Martin	Raplee	Williams
Costello	Hanna	Mason	Russell	Witter
Cottle	Hatch	Matteson	Sears	Zimmerman
Coughtry	Hays	McEwan	Simmons	Speaker
Cowles				

Those who voted in the negative, were

Ackert	Farrell	Hubbard	Palmer	Seligsberg
Boland	Fitzgerald	Hutton	Paris	Shoeneck
Brennen J F	Fritz	Kullman	Phillips	Sinsheimer
Cain	Gale	Laimbeer	Pickett	Streifler
Chanler	Gallagher	Mahar	Reisert	Tompkins
Collins	Green	Maloney	Sage	Trainor
Crabtree	Griggs	Meyer G W	Sanford	Van Hoesen
Cullen	Hachem'ster	Mullany	Schmid A F	Weekes
Dale	Haight	Murray	Schmid F	Weill
Dillon	Harburger	Myers J C	Schultz	Wicke
Donnelly	Hoffman	O'Connor	Schulum	Wright
Egan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1838) entitled "An act to amend the Fisheries, Game and Forest Law, relating to the transportation of certain fish and game from the counties of Oswego and Lewis." (Int. No. 696.)

Said bill having been announced for a second reading,

On motion of Mr. Costello, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 31) entitled "An act regarding sales of real property under judgments for the partition and sale of real property heretofore made, to guardians in socage of infant parties to actions." (Rec. No. 308.)

On motion of Mr. Brown, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill. and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

} AYES 29 }
} NOES 58 }

Those who voted in the affirmative, were

Addis	Davis	Guider	Litchard	Nixon
Allds	Eldridge	Hatch	Martin	O'Connor
Boland	Ellis	Hill	McEwan	Oliver
Bondy	Fuller	Holbert	McLaughlin	Roche
Brennan E C	Goodsell	Kelly	Mullany	Wallace
Cowles	Graney	Laimbeer	Murphy	

Those who voted in the negative, were

Armstrong	Donnelly	Kavanaugh	Redington	Stoneman
Axtell	Egan	Kelsey	Reisert	Streifler
Baker	Evarts	Kullman	Russell	Ten Eyck
Brennen J F	Farrell	Marshall	Sage	Trainor
Brewster	Green	Matteson	Sanford	Van Hoesen
Cain	Greenwood	Murray	Schmid A F	Van Rens'aer
Clark A L	Griggs	Myers J C	Schmid F	Vincent
Costello	Haight	Palmer	Seligsberg	Weekes
Cottle	Hanna	Paris	Shoeneck	Weill
Cullen	Hubbard	Patton	Simmons	Whipple
Dale	Hutton	Phillips	Sinsheimer	Wicke
Dillon	Johnson	<u>Raplee</u>		

Mr. Tremper moved to reconsider the vote by which said bill was lost, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 1828) entitled "An act to amend the Railroad Law, relative to the use of sand upon tracks." (Int. No. 524.)

Mr. Armstrong.—I wish to make the point of order, before this bill comes up for consideration, that under Rule 61 of this House, on page 147 of the Blue Book, the rule for the amendment of bills in this House requires that amendments to Revised Statutes or to any existing laws must contain not only the number of the chapter of the statute to be amended, but must also quote the

title of the chapter to be amended, and have some direct reference to the subject-matter of the proposed amendments. Under that rule I wish to make the point of order that the title of this bill is incorrectly printed, under the rules of this House, and cannot go upon its final passage until so printed.

Mr. Speaker.—The Chair desires to say, in ruling upon the point of order raised by the gentleman from Monroe, in connection with Mr. Eldridge's bill, that, in the opinion of the Chair, the point of order is not well taken. While the rule on page 147 provides that each general law shall be designated by its chapter number, yet the statutes of the State recognize certain laws by their common colloquial title, such as the "Railroad Law," the "Insurance Law" and other laws designated in that way. Therefore, the Chair is of the opinion that when the title of an act is entitled "An act to amend the Railroad Law, relative to the use of sand upon tracks," that it complies with the rule on page 147; and that the point of order is not well taken.

Mr. Laimbeer.—Mr. Speaker—

Mr. Speaker.—The gentleman from New York.

Mr. Laimbeer.—I would like to inquire whether your decision covers another point of order; that this reads "section 107, chapter 565;" it should be "section 108 of chapter 565 of the Laws of 1890." An incorrect section is written in the bill. I raise that point of order.

Mr. Speaker.—The Chair, ruling upon that point of order, would necessarily hold that as long as the title of the bill—the first section of the bill—reads "section 107," yet the section on page 2 is the same, that the bill is in its proper form, because the Chair has no way of knowing but what the intention of the introducer is to amend section 107 in this way.

Mr. Laimbeer.—Well, section 108 is the section that refers to the use of sand upon tracks; section 107 refers to some other matter in connection with the Railroad Law.

Mr. Speaker.—The Chair is of the opinion that this objection might be a fatal one as regards the effect of the bill. But the Chair still insists that he has no way of knowing but what the

gentleman from Warren intends to amend section 107 of the Railroad Law in this way. As that is the section that is designated for amendment, the Chair would rule that the point is not well taken.

On motion of Mr. Eldridge, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
 { NOES 24 }

Those who voted in the affirmative, were

Ackert	Eldridge	Ives	Murray	Simmons
Addis	Evarts	Johnson	Nixon	Sinsheimer
Allds	Farrell	Kavanaugh	O'Connor	Sloan
Axtell	Finn	Kelly	Oliver	Smith E La G
Baker	Fish	Kelsey	Perkins	Stoneman
Boland	Fitzgerald	Kullman	Pierce	Sullivan
Bondy	Goodsell	Lowenthal	Raplee	Taylor
Brewster	Greenwood	Mahar	Roche	Ten Eyck
Cain	Guider	Marshall	Russell	Tompkins
Clark A L	Haight	Matteson	Schmid A F	Trainor
Clark C J	Hanna	McEwan	Schmid F	Tremper
Crabtree	Hatch	McGuire	Schultz	Tripp
Cross	Hays	McKeown	Schulum	Van Rens'aer
Cullen	Hoes	McLaughlin	Sears	Whipple
Dillon	Holbert	Miles	Shoeneck	Zimmerman
Egan	Hubbard	Mitchell		

Those who voted in the negative, were

Armstrong	Green	Palmer	Streifler	Wicke
Dale	Hachemeis'r	Paris	Tiffany	Williams
Davis	Hutton	Patton	Van Hoesen	Witter
Donnelly	Laimbeer	Sanford	Vincent	Speaker
Fuller	Meyer G W	Seligsberg	Weekes	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 855, Assembly reprint No. 1866) entitled "An act to make an appropriation for the payment of judgments of the Court of Claims." (Rec. No. 238.)

On motion of Mr. McEwan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hoes	Murray	Sinsheimer
Addis	Delaney	Hoffman	Myers J C	Sloan
Adler	Donnelly	Hubbard	Nixon	Smith E LaG
Allds	Dutton	Ives	O'Connor	Stedman
Axtell	Eldridge	Johnson	Palmer	Stoneman
Baker	Ellis	Kavanaugh	Paris	Streifler
Boland	Evarts	Kelsey	Patton	Sullivan
Brennan EC	Farrell	Kullman	Perkins	Taylor
Brennen J F	Fish	Laimbeer	Peterson	Tiffany
Brewster	Fitzgerald	Lowenthal	Pickett	Tompkins
Brown	Fritz	Mahar	Pierce	Trainor
Burr	Fuller	Maloney	Post	Tremper
Cain	Gale	Martin	Raplee	Tripp
Chanler	Gallagher	Mason	Reisert	Van Hoesen
Clark A L	Gibney	Matteson	Roche	Van Rens'aer
Clark C J	Glaser	McGuire	Russell	Vroman
Costello	Goodsell	McKeown	Sage	Wallace
Cottle	Graney	McLaughlin	Schmid A F	Weekes
Coughtry	Greenwood	Meyer G W	Schmid F	Whipple
Cowles	Guider	Miles	Schulum	Wicke
Cross	Hachemeis'r	Miller	Seligsberg	Williams
Cullen	Hanna	Mohring	Shoeneck	Witter
Dale	Harburger	Mullany	Simmons	Wright
Davis	Hays			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 854, Assembly reprint No. 1865) entitled "An act to make an appropriation for the payment of judgments of the Court of Claims in claims arising on account of the canals of this State." (Rec. No. 237.)

On motion of Mr. McEwan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Ellis	Hoffman	Mitchell	Sears
Addis	Evarts	Holbert	Mohring	Seligberg
Adler	Finn	Hubbard	Mullany	Shoeneck
Allds	Fish	Hutton	Murphy	Simmons
Armstrong	Fitzgerald	Ives	Murray	Sloan
Axtell	Fritz	Johnson	Myers J C	Smith E La G
Baker	Fuller	Kavanaugh	Nixon	Stedman
Boland	Gale	Kelly	O'Connor	Stoneman
Bondy	Gallagher	Kelsey	Oliver	Streifler
Brennen J F	Gibney	Kullman	Palmer	Taylor
Brewster	Glaser	Laimbeer	Paris	Ten Eyck
Burr	Goodsell	Litchard	Patton	Tiffany
Chanler	Graney	Lowenthal	Perkins	Tompkins
Clark A L	Green	Mahar	Peterson	Trainor
Collins	Greenwood	Maloney	Phillips	Tripp
Costello	Griggs	Marshall	Pickett	Van Rens'laer
Coughtry	Guider	Martin	Pierce	Vincent
Cowles	Hachemeis'r	Mason	Post	Vroman
Cross	Haight	Matteson	Redington	Wallace
Cullen	Hanna	McEwan	Reisert	Weekes
			Roche	

Davis	Harburger	McGuire	Russell	Weill
Dillon	Hatch	McKeown	Sage	Whipple
Donnelly	Hays	McLaughlin	Sanford	Wicke
Dutton	Hays	Myers G W	Schmid A F	Williams
Egan	Hill	Miles	Schmid F	Wright
Eldridge	Hoes	Miller	Schulum	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 724, Assembly reprint No. 1847) entitled "An act to incorporate The Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir." (Rec. No. 272.)

Said bill having been announced for a second reading,

Debate was had thereon, when

Mr. Perkins moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

On motion of Mr. Armstrong, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 34 }

Those who voted in the affirmative, were

Ackert	Dillon	Hatch	Mitchell	Schmid F
Addis	Donnelly	Hays	Mullany	Schulum
Adler	Dutton	Hoes	Murphy	Sears
Allds	Egan	Hoffman	Murray	Shoeneck
Armstrong	Eldridge	Holbert	Myers J C	Sinsheimer
Axtell	Evarts	Hubbard	Nixon	Sloan
Baker	Farrell	Hutton	O'Connor	Smith E LaG
Bondy	Finn	Ives	Oliver	Stedman
Brennan E C	Fitzgerald	Kavanaugh	Paris	Sullivan
Brennen J F	Fordyce	Kelly	Perkins	Taylor
Brewster	Fritz	Kelsey	Peterson	Ten Eyck
Cain	Fuller	Marshall	Phillips	Trainor
Clark A L	Gale	Martin	Pierce	Tripp
Clark C J	Gallagher	Mason	Post	Van Rens'aer
Collins	Glaser	McEwan	Redington	Wallace
Costello	Goodsell	McGuire	Reisert	Whipple
Coughtry	Graney	McKeown	Roche	Wicke
Crabtree	Greenwood	McLaughlin	Russell	Williams
Cross	Guider	Meyer G W	Sage	Witter
Cullen	Hachemeis'r	Miles	Sanford	Speaker
DeGraw	Haight	Miller	Schmid A F	

Those who voted in the negative, were

Boland	Griggs	Lowenthal	Simmons	Vincent
Cottle	Hanna	Mahar	Stoneman	Vroman
Cowles	Hill	Matteson	Streifler	Weekes
Dale	Johnson	Palmer	Tiffany	Weill
Davis	Kullman	Patton	Tompkins	Wright
Ellis	Laimbeer	Raplee	Tremper	Zimmerman
Fish	Litchard	Seligsberg	Van Hoesen	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order, being the bill (No. 1856) entitled "An act to amend chapter 413 of the Laws of 1897, entitled 'An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law,' in reference to the education fund." (Int. No. 417.)

On motion of Mr. Perkins, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Haight	Miles	Schultz
Addis	Dutton	Harburger	Miller	Schulum
Adler	Egan	Hays	Mohring	Seligsberg
Allds	Eldridge	Hill	Mullany	Shoeneck
Armstrong	Ellis	Hoffman	Murphy	Simmons
Axtell	Evarts	Hubbard	Murray	Sloan
Boland	Farrell	Ives	Myers J C	Smith E La G
Bondy	Finn	Johnson	O'Connor	Stedman
Brennan E C	Fish	Kavanaugh	Oliver	Streifler
Brewster	Fitzgerald	Kelsey	Palmer	Sullivan
Brown	Fordyce	Kullman	Paris	Taylor
Burr	Fritz	Laimbeer	Patton	Tiffany
Chanler	Fuller	Lowenthal	Perkins	Trainor
Clark C J	Gale	Mahar	Peterson	Tremper
Collins	Gallagher	Maloney	Phillips	Van Hoesen
Costello	Gibney	Marshall	Pierce	Vincent
Coughtry	Glaser	Martin	Post	Vroman
Crabtree	Goodsell	Mason	Redington	Wallace
Cross	Graney	Matteson	Reisert	Weill
Cullen	Greenwood	McEwan	Roche	Wicke
Davis	Griggs	McGuire	Sage	Williams
DeGraw	Guider	McKeown	Sanford	Wright
Delaney	Hachemeis'r	Meyer G W	Schmid F	Zimmerman
Dillon				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Dutton	Hoffman	Murphy	Shoeneck
Addis	Egan	Holbert	Murray	Simmons
Adler	Eldridge	Hubbard	Myers J C	Sinsheimer
Allds	Ellis	Hutton	Nixon	Sloan
Armstrong	Evarts	Ives	Oliver	Smith E La G
Axtell	Farrell	Johnson	Palmer	Stedman
Baker	Finn	Kavanaugh	Paris	Stoneman
Boland	Fish	Kelly	Patton	Streifler
Bondy	Fitzgerald	Kelsey	Perkins	Sullivan
Brennan E C	Fordyce	Kullman	Peterson	Taylor
Brennen J F	Fritz	Laimbeer	Phillips	Ten Eyck
Brewster	Fuller	Litchard	Pickett	Tiffany
Burr	Gallagher	Lowenthal	Pierce	Tompkins
Cain	Gibney	arh M	Post	Tremper
Clark A L	Glaser	Maloney	Raplee	Tripp
Clark C J	Goodsell	Marshall	Redington	Van Hoesen
Costello	Green	Martin	Reisert	Van Rens'aer
Cottle	Greenwood	Mason	Roche	Vincent
Coughtry	Guider	Matteson	Russell	Wallace
Cowles	Hachemeis'r	McEwan	Sage	Vroman
Crabtree	Haight	McGuire	Sanford	Weill
Cross	Hanna	McKeown	Schmid A F	Whipple
Cullen	Harburger	Meyer G W	Schmid F	Wicke
Dale	Hatch	Miles	Schultz	Williams
Davis	Hays	Miller	Schulum	Witter
DeGraw	Hill	Mitchell	Sears	Wright
Donnelly	Hoes	Mullany	Seligsberg	Zimmerman

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. McLaughlin and Weeks, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 1357) entitled "An act to provide for the proper labeling of poisonous articles." (Int. No. 1078.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 66 }
{ NOES 40 }

Those who voted in the affirmative, were

Addis	DeGraw	Guider	McKeown	Redington
Adler	Donnelly	Hachemeis'r	Meyer G W	Reisert
Axtell	Egan	Hays	Miles	Roche
Baker	Eldridge	Hoes	Miller	Sanford
Bondy	Farrell	Kavanaugh	Mitchell	Schmid A F
Brennan E C	Fiun	Kelly	Mullany	Schultz
Brennen J F	Fitzgerald	Kullman	Murray	Schulum
Brown	Fritz	Mahar	Myers J C	Sinsheimer
Cain	Gallagher	Maloney	O'Connor	Stoneman
Clark A L	Gibney	Marshall	Oliver	Sullivan
Collins	Glaser	Mason	Perkins	Trainor
Crabtree	Goodsell	Matteson	Phillips	Wicke
Cullen	Graney	McGuire	Pickett	Williams
Dale				

Those who voted in the negative, were

Boland	Evarts	Hutton	Paris	Simmons
Brewster	Fish	Kelsey	Patton	Smith E LaG
Clark C J	Fuller	Lainbeer	Peterson	Stedman
Costello	Greenwood	Litchard	Pierce	Ten Eyck
Cottle	Hanna	Lowenthal	Post	Tiffany
Coughtry	Hatch	McEwan	Raplee	Van Hoesen
Davis	Hill	Nixon	Russell	Van Rens'aer
Ellis	Holbert	Palmer	Sears	Vincent

Mr. Oliver moved to reconsider the vote by which said bill was lost, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Oliver called up said bill and moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members of the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
 { NOES 34 }

Those who voted in the affirmative, were

Ackert	Crabtree	Graney	Meyer G W	Schmid A F
Addis	Cullen	Guider	Miles	Schmid F
Adler	Dale	Hachemeis'r	Miller	Schultz
Allds	DeGraw	Harburger	Mitchell	Schulum
Axtell	Dillon	Hays	Mullany	Shoeneck
Boland	Donnelly	Hill	Myers J C	Sinsheimer
Bondy	Egan	Hoes	O'Connor	Sloan
Brennan E C	Eldridge	Hoffman	Oliver	Streifler
Brennen J F	Farrell	Holbert	Patton	Sullivan
Brown	Finn	Hubbard	Perkins	Ten Eyck
Burr	Fitzgerald	Kavanaugh	Phillips	Tiffany
Cain	Fordyce	Kelly	Pickett	Trainor
Chanler	Fritz	Kullman	Pierce	Wallace
Clark A L	Gallagher	Mahar	Redington	Wicke
Clark C J	Gibney	Maloney	Reisert	Williams
Collins	Glaser	McGuire	Roche	Zimmerman
Coughtry	Goodsell	McKeown	Sanford	

Those who voted in the negative, were

Baker	Evarts	Johnson	Paris	Tremper
Brewster	Fish	Kelsey	Raplee	Van Hoesen
Costello	Fuller	Litchard	Russell	Van Rens'aer
Cottle	Green	Lowenthal	Sage	Vincent
Cowles	Greenwood	McEwan	Simmons	Whipple
Davis	Hanna	Nixon	Smith E LaG	Witter
Ellis	Hatch	Palmer	Stedman	

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 73 }
{ NOES 41 }

Those who voted in the affirmative, were

Addas	Donnelly	Hoffman	Miller	Sanford
Adler	Egan	Hubbard	Mitchell	Schmid A F
Allds	Eldridge	Ives	Mohring	Schmid F
Bondy	Farrell	Kavanaugh	Mullany	Schultz
Brennan E C	Finn	Kelly	Murray	Schulum
Brennen J F	Fitzgerald	Kullman	Myers J C	Shoeneck
Burr	Fordyce	Mahar	O'Connor	Sinsheimer
Cain	Fritz	Maloney	Oliver	Sloan
Chanler	Gallagher	Marshall	Perkins	Stoneman
Collins	Gibney	Mason	Phillips	Streifler
Crabtree	Glaser	Matteson	Pickett	Sullivan
Cullen	Guider	McGuire	Redington	Trainor
Dale	Hachemeis'r	McKeown	Reisert	Wicke
DeGraw	Harburger	Meyer G W	Roche	Williams
Dillon	Hoes	Miles		

Those who voted in the negative, were

Boland	Ellis	Johnson	Paris	Smith E LaG
Brewster	Evarts	Kelsey	Patton	Stedman
Clark C J	Fish	Litchard	Peterson	Tiffany
Costello	Fuller	Lowenthal	Pierce	Tripp
Cottle	Greenwood	Martin	Post	Van Hoesen
Coughtry	Hanna	McEwan	Raplee	Vincent
Cowles	Hatch	Nixon	Russell	Whipple
Davis	Hill	Palmer	Simmons	Witter
Dutton				

Mr. Kelsey in the chair.

Mr. Speaker announced the special order, being the Senate bill (No. 723) entitled "An act to amend the Railroad Law, in relation to substituted lines in cases of eminent domain." (Rec. No. 359.)

On motion of Mr. Armstrong, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 12 }

Those who voted in the affirmative, were

Ackert	Evarts	Hubbard	O'Connor	Sloan
Addis	Farrell	Johnson	Oliver	Smith E LaG
Adler	Finn	Kavanaugh	Paris	Stedman
Armstrong	Fitzgerald	Kelly	Perkins	Stoneman
Baker	Fordyce	Kelsey	Peterson	Sullivan
Bondy	Fritz	Laimbeer	Phillips	Taylor
Brennen J F	Gale	Maloney	Pickett	Ten Eyck
Burr	Gallagher	Marshall	Pierce	Tiffany
Chanler	Glaser	Martin	Post	Tompkins
Clark C J	Graney	Mason	Redington	Trainor
Costello	Greenwood	McEwan	Reisert	Tripp
Coughtry	Griggs	McGuire	Russell	Van Hoesen
Cowles	Guider	McLaughlin	Sage	Van Rensl'er
Crabtree	Hachemeis'r	Meyer G W	Schmid A F	Vroman
Davis	Haight	Miles	Schmid F	Weekes
DeGraw	Hanna	Mitchell	Schulum	Weill
Delaney	Hatch	Mohring	Sears	Whipple
Donnelly	Hays	Murphy	Shoeneck	Williams
Dutton	Hoes	Murray	Simmons	Witter
Egan	Hoffman	Myers J C	Sinsheimer	Zimmerman
Ellis				

Those who voted in the negative, were

Cullen	Green	Palmer	Schultz	Wicke
Dale	Hutton	Patton	Seligsberg	Wright
Fish	Mahar			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1867) entitled "An act to prevent evils and abuses in connection with the placing out of children." (Int. No. 1367.)

On motion of Mr. Bondy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hachemeis'r	McEwan	Schultz
Addis	DeGraw	Haight	McKeown	Schulum
Allds	Delaney	Hanna	McLaughlin	Seligsberg
Armstrong	Donnelly	Harburger	Miles	Simmons
Baker	Dutton	Hays	Miller	Sinsheimer
Boland	Egan	Hill	Mohring	Sloan
Bondy	Ellis	Hoes	Murphy	Stedman
Brennan E C	Evarts	Hoffman	Myers J C	Streifler
Brennen J F	Finn	Hubbard	O'Connor	Taylor
Brewster	Fish	Hutton	Oliver	Tiffany
Brown	Fordyce	Johnson	Paris	Tompkins
Burr	Fritz	Kavanaugh	Perkins	Tripp
Cain	Fuller	Kelly	Phillips	VanHoesen
Clark A L	Gale	Kullman	Pickett	Vincent
Clark C J	Gallagher	Laimbeer	Post	Wallace
Collins	Gibney	Litchard	Raplee	Weekes
Costello	Glaser	Lowenthal	Redington	Weill
Cottle	Goodsell	Mahar	Roche	Wicke
Coughtry	Green	Maloney	Sage	Williams
Crabtree	Greenwood	Marshall	Sanford	Wright
Cross	Griggs	Mason	Schmid A F	Zimmerman
Cullen	Guider	Matteson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1585) entitled "An act to amend section 447 of the Penal Code, in relation to private or farm railroad crossings." (Int. No. 1211.)

On motion of Mr. Armstrong, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
 { NOES 1 }

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mitchell	Simmons
Addis	Dillon	Hatch	Mohring	Sinsheimer
Adler	Donnelly	Hays	Murphy	Sloan
Allds	Egan	Hoes	Murray	Stedman
Axtell	Eldridge	Holbert	Myers J C	Stoneman
Baker	Ellis	Hutton	O'Connor	Streifler
Boland	Farrell	Ives	Palmer	Sullivan
Bondy	Finn	Kavanaugh	Paris	Taylor
Brennan E C	Fish	Kelly	Patton	Ten Eyck
Brennen J F	Fitzgerald	Kullman	Peterson	Tiffany
Brown	Fordyce	Lainbeer	Pickett	Trainor
Burr	Fritz	Lowenthal	Post	Tremper
Chanler	Fuller	Mahar	Raplee	Van Hoesen
Clark A L	Gale	Maloney	Reisert	Van Rens'aer
Clark C J	Gallagher	Marshall	Russell	Vincent
Costello	Gibney	Mason	Sage	Wallace
Cottle	Glaser	Matteson	Schmid A F	Weekes
Coughtry	Graney	McEwan	Schmid F	Weill
Cowles	Green	McGuire	Schultz	Whipple
Cross	Greenwood	McLaughlin	Schulum	Williams
Cullen	Griggs	Meyer G W	Sears	Witter
Dale	Hachemeis'r	Miles	Seligsberg	Zimmerman
Davis	Haight			

In the negative,

Vroman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the Senate bill (No. 1100) entitled "An act to amend chapter 1027 of the Laws

of 1895, entitled 'An act in relation to the issue of mileage books by railroad corporations.' " (Rec. No. 344.)

On motion of Mr. Hays, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 7 }

Those who voted in the affirmative, were

Adler	Ellis	Hutton	O'Connor	Sinsheimer
Allds	Evarts	Ives	Palmer	Sloan
Armstrong	Farrell	Johnson	Paris	Smith E LaG
Axtell	Fish	Kavanaugh	Patton	Stedman
Baker	Fitzgerald	Kelly	Perkins	Stoneman
Boland	Fordyce	Kelsey	Peterson	Sullivan
Bondy	Fritz	Kullman	Pickett	Taylor
Brennan E C	Fuller	Litchard	Pierce	Ten Eyck
Brennen J F	Goodsell	Lowenthal	Post	Tiffany
Brewster	Graney	Maloney	Raplee	Tompkins
Burr	Green	Martin	Reisert	Tremper
Clark A L	Greenwood	Mason	Roche	Van Hoesen
Clark C J	Griggs	Matteson	Russell	Van Rens'aer
Cottle	Hachemeis'r	McEwan	Sage	Vincent
Cowles	Haight	McGuire	Sanford	Vroman
Cross	Hanna	McLaughlin	Schmid A F	Weekes
Cullen	Harburger	Meyer G W	Schmid F	Whipple
Dale	Hays	Miles	Schulum	Wicke
Davis	Hill	Miller	Sears	Williams
DeGraw	Hoes	Murphy	Seligsberg	Witter
Donnelly	Hoffman	Myers J C	Shoeneck	Wright
Dutton	Holbert	Nixon	Simmons	Zimmerman

Those who voted in the negative, were

Ackert	Costello	Finn	Murray	Schultz
Addis	Coughtry			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the bill (No. 1831) entitled "An act to authorize the Court of Claims to hear and audit the alleged claim of certain auctioneers, and to make awards thereon." (Int. No. 703.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 119 }
 } NOES 1 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hill	Murray	Sinsheimer
Addis	Dillon	Hoes	Myers J C	Sloan
Adler	Donnelly	Hoffman	Nixon	Smith E LaG
Allds	Egan	Holbert	Oliver	Stedman
Armstrong	Eldridge	Hubbard	Palmer	Stoneman
Axtell	Ellis	Hutton	Paris	Streifler
Baker	Farrell	Johnson	Patton	Sullivan
Boland	Finn	Kavanaugh	Perkins	Ten Eyck
Bondy	Fitzgerald	Kelsey	Peterson	Tiffany
Brennen J F	Fordyce	Laimbeer	Phillips	Tompkins
Brewster	Fritz	Lowenthal	Pierce	Tripp
Brown	Fuller	Mahar	Post	Van Hoesen
Burr	Gale	Maloney	Raplee	Van Rens'aer
Cain	Gallagher	Martin	Reisert	Vincent
Chanler	Gibney	Mason	Roche	Vroman
Clark A L	Glaser	Matteson	Russell	Weekes
Clark C J	Graney	McEwan	Sage	Weill
Collins	Greenwood	McKeown	Schmid A F	Whipple
Costello	Guider	McLaughlin	Schmid F	Williams
Coughtry	Hachemeist'r	Meyer G W	Schultz	Witter

Cowles	Haight	Miller	Schulum	Wright
Cross	Hanna	Mitchell	Sears	Zimmerman
Cullen	Harburger	Mohring	Seligsberg	
Davis	Hatch	Mullany	Shoeneck	

In the negative,

Green

Oredered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1674) entitled "An act in relation to proceedings for the opening of streets and avenues and closing old roads or highways in the late city of Brooklyn commenced prior to its annexation with The City of New York, and to provide for the completion of the same." (Int. No. 1242.)

On motion of Mr. Tiffany, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hays	Murphy	Simmons
Addis	Eldridge	Hoes	Murray	Sloan
Adler	Ellis	Holbert	Myers J C	Smith E LaG
Allds	Farrell	Hubbard	O'Connor	Stedman
Armstrong	Finn	Hutton	Oliver	Stoneman
Axtell	Fish	Johnson	Palmer	Streifler
Boland	Fitzgerald	Kavanaugh	Patton	Sullivan
Bondy	Fordyce	Kelsey	Perkins	Taylor
Brennan E C	Fritz	Kullman	Peterson	Ten Eyck
Brewster	Fuller	Laimbeer	Phillips	Tiffany
Brown	Gale	Lowenthal	Pickett	Tompkins
Cain	Gallagher	Mahar	Post	Trainor

Chanler	Gibney	Maloney	Raplee	Tremper
Clark C J	Glaser	Marshall	Redington	Tripp
Collins	Goodsell	Martin	Reisert	Van Hoesen
Cottle	Graney	Mason	Russell	VanRens'laer
Coughtry	Green	Matteson	Sage	Vincent
Crabtree	Greenwood	McGuire	Sanford	Wallace
Cullen	Griggs	McKeown	Schmid A F	Weekes
Dale	Guider	McLaughlin	Schmid F	Whipple
DeGraw	Hachemeis'r	Meyer G W	Schultz	Wicke
Delaney	Haight	Miller	Schulum	Witter
Dillon	Hanna	Mitchell	Sears	Wright
Dutton	Hatch	Mohring	Shoeneck	Zimmerman

Oredered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker, from the committee on rules, to which was referred the following Senate resolution introduced by Mr. Higgins, reported in favor of the passage of the same in the following words:

Resolved (if the Senate concur), That the Clerks of the Senate and Assembly prepare and cause to be printed and bound 5,000 copies of the memorial proceedings of the Legislature on the death of Hon. Joseph Mullen, to be distributed as follows: Four thousand copies for the use of the members of the Legislature; 500 copies to the officers and reporters of the Legislature; 300 copies to the family of the deceased; 200 copies to the State officers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hachemeis'r	McEwan	Sears
Addis	Delaney	Haight	McKeown	Seligsberg
Adler	Dillon	Hanna	McLaughlin	Simmons
Allds	Donnelly	Harburger	Miles	Sloan
Armstrong	Dutton	Hatch	Miller	Stedman
Axtell	Egan	Hill	Mohring	Stoneman
Baker	Ellis	Hoes	Mullany	Streifler

Boland	Evarts	Hoffman	Murray	Taylor
Bondy	Farrell	Hubbard	Myers J C	Ten Eyck
Brennen J F	Finn	Hutton	O'Connor	Tiffany
Brewster	Fitzgerald	Johnson	Oliver	Trainor
Brown	Fordyce	Kavanaugh	Paris	Tremper
Cain	Fritz	Kelly	Perkins	Van Hoesen
Chanler	Fuller	Kelsey	Peterson	Van Rens'aer
Clark A L	Gale	Kullman	Phillips	Vincent
Clark C J	Gallagher	Laimbeer	Pickett	Vroman
Collins	Gibney	Litchard	Pierce	Wallace
Cottle	Glaser	Lowenthal	Raplee	Weill
Coughtry	Goodsell	Mahar	Reisert	Whipple
Cowles	Graney	Maloney	Roche	Williams
Cross	Green	Marshall	Russell	Witter
Cullen	Greenwood	Martin	Sanford	Wright
Dale	Griggs	Mason	Schmid F	Zimmerman
Davis	Guider	Matteson	Schultz	

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker, from the committee on rules, to which was referred the resolution introduced by Mr. E. C. Brennan, relating to printing extra copies of the primary New York bill, reported in favor of the passage of the following resolution:

Resolved (if the Senate concur), That 15,000 extra copies of the bill (No. 1878) entitled "An act in relation to enrollment for political parties, primary elections, conventions and political committees" (Int. No. 1081), be printed for the use of the members of the Senate and Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 18 }

Those who voted in the affirmative, were

Ackert	Cullen	Guider	Mullany	Schmid A F
Addis	Davis	Hachemeis'r	Murphy	Schmid F
Adler	DeGraw	Harburger	Murray	Schulum
Allds	Dillon	Hoes	Nixon	Seligsberg
Axtell	Donnelly	Hoffman	O'Connor	Shoeneck

Baker	Eldridge	Hubbard	Oliver	Smith E LaG
Boland	Farrell	Hutton	Palmer	Streifler
Bondy	Finn	Kullman	Peterson	Sullivan
Brennan E C	Fitzgerald	Lowenthal	Phillips	Ten Eyck
Brennen J F	Fordyce	Mahar	Pickett	Tiffany
Burr	Fritz	Maloney	Post	Trainor
Cain	Gallagher	Marshall	Redington	Tripp
Clark C J	Glaser	McGuire	Reisert	Van Rens'aer
Collins	Graney	McKeown	Roche	Wicke
Coughtry	Green	Meyer G W	Russell	Witter
Cowles	Greenwood	Mitchell	Sage	Wright
Crabtree	Griggs	Mohring	Sanford	Zimmerman
Cross				

Those who voted in the negative, were

Armstrong	Fuller	Miller	Stoneman	Vincent
Clark A L	Kelsey	Patton	Taylor	Wallace
Costello	Martin	Pierce	Van Hoesen	Williams
Evarts	Matteson	Schultz		

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker, from the committee on rules, to which was referred the resolution introduced by Mr. F. Schmid, relative to printing extra copies of the primary bill, reported in favor of the passage of the following resolution:

Resolved (if the Senate concur), that 3,000 copies of the bill (No. 1878) entitled "An act in relation to enrollment for political parties, primary elections, conventions and political committees" (Int. No. 1081), be printed in German.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 101 }
{ NOES 2 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	McGuire	Sanford
Addis	Delaney	Hatch	McKeown	Schmid F
Adler	Donnelly	Hill	McLaughlin	Schulum
Allds	Dutton	Hoes	Miles	Sears
Baker	Egan	Holbert	Miller	Shoeneck

Boland	Eldridge	Hubbard	Mohring	Simmons
Bondy	Evarts	Hutton	Mullany	Sloan
Brennen J F	Farrell	Ives	Murray	Stedman
Brewster	Fish	Johnson	Myers J C	Streifler
Brown	Fitzgerald	Kavanaugh	O'Connor	Sullivan
Cain	Fritz	Kelsey	Oliver	Taylor
Chanler	Fuller	Kullman	Palmer	Tiffany
Clark A L	Gallagher	Litchard	Patton	Trainor
Collins	Gibney	Lowenthal	Perkins	Tremper
Costello	Goodsell	Mahar	Phillips	Van Hoesen
Cottle	Green	Maloney	Pickett	Weill
Coughtry	Greenwood	Marshall	Post	Whipple
Cross	Guider	Martin	Redington	Wicke
Cullen	Hachemeist'r	Matteson	Reisert	Witter
Dale	Hanna	McEwan	Russell	Wright
Davis				

Those who voted in the negative, were

Armstrong Wallace

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker, from the committee on rules, to which was referred the resolution introduced by Mr. Litchard, reported in favor of the passage of the same in the following words:

Resolved (if the Senate concur), That there be printed by the State Printer, 10,000 copies of the report of the New York State Agricultural Society for the year 1897.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hill	Miller	Sears
Addis	Delaney	Hoes	Mitchell	Seligsberg
Adler	Donnelly	Hoffman	Mohring	Simmons
Allds	Dutton	Hubbard	Mullany	Sinsheimer
Armstrong	Egan	Hutton	Murphy	Sloan
Axtell	Eldridge	Ives	Myers J C	Stedman

Baker	Ellis	Kavanaugh	Nixon	Stoneman
Boland	Farrell	Kelly	O'Connor	Streifler
Bondy	Finn	Kullman	Palmer	Sullivan
Brennan J F	Fish	Laimbeer	Patton	Taylor
Brewster	Fitzgerald	Litchard	Perkins	Ten Eyck
Brown	Fritz	Lowenthal	Peterson	Tompkins
Burr	Fuller	Mahar	Pickett	Trainor
Cain	Gale	Maloney	Pierce	Tremper
Chanler	Gallagher	Marshall	Post	Van Hoesen
Clark A L	Glaser	Martin	Raplee	Van Rens' aer
Collins	Graney	Mason	Redington	Vincent
Costello	Green	Matteson	Reisert	Wallace
Cottle	Griggs	McEwan	Roche	Weekes
Crabtree	Guider	McGuire	Sage	Weill
Cross	Haight	McKeown	Sanford	Whipple
Cullen	Hanna	McLaughlin	Schmid A F	Williams
Dale	Harburger	Meyer G W	Schultz	Wright
Davis	Hatch	Miles	Schulum	Zimmerman

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1786) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relative to taxes." (Int. No. 1005.)

On motion of Mr. Miller, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hachemeis'r	McLaughlin	Schulum
Addis	DeGraw	Haight	Meyer G W	Sears
Adler	Delaney	Hanna	Miller	Shoeneck
Alds	Dillon	Hatch	Mitchell	Simmons

Armstrong	Donnelly	Hays	Mohring	Sloan
Axtell	Dutton	Hill	Murphy	Smith E La G
Baker	Egan	Hoffman	Murray	Stedman
Bondy	Eldridge	Holbert	Nixon	Streifler
Brennan EC	Ellis	Hutton	Oliver	Sullivan
Brewster	Evarts	Ives	Palmer	Taylor
Brown	Farrell	Johnson	Patton	Ten Eyck
Burr	Fish	Kelly	Perkins	Tompkins
Chanler	Fitzgerald	Kelsey	Peterson	Trainor
Clark A L	Fordyce	Kullman	Pickett	Tripp
Clark C J	Fritz	Litchard	Pierce	Van Rensselaer
Collins	Fuller	Mahar	Redington	Vroman
Costello	Gale	Maloney	Reisert	Wallace
Cottle	Gallagher	Marshall	Roche	Weill
Coughtry	Glaser	Martin	Russell	Whipple
Cowles	Goodsell	Mason	Sage	Wicke
Crabtree	Graney	Matteson	Sanford	Witter
Cross	Green	McGuire	Schmid F	Wright
Cullen	Greenwood	McKeown	Schultz	Zimmerman
Dale	Griggs			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 751) entitled "An act entitled 'An act to amend chapter 182 of the Laws of 1892, entitled An act to incorporate the city of Mount Vernon, and to be known as section 205a of said act,' relating to the issue of highway repair bonds." (Int. No. 667.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hatch	Miles	Sears
Addis	Egan	Hays	Miller	Seligsberg
Adler	Eldridge	Hill	Mitchell	Shoeneck
Allds	Ellis	Hoes	Mohring	Simmons
Armstrong	Evarts	Hoffman	Mullany	Sinsheimer
Axtell	Farrell	Holbert	Murphy	Smith E LaG
Baker	Finn	Hubbard	Murray	Stedman
Boland	Fish	Hutton	Myers J C	Stoneman
Bondy	Fitzgerald	Ives	Nixon	Streitler
Brennan E C	Fordyce	Johnson	O'Connor	Sullivan
Brewster	Fritz	Kelly	Oliver	Taylor
Brown	Fuller	Kelsey	Palmer	Ten Eyck
Burr	Gale	Kullman	Paris	Tiffany
Chanler	Gallagher	Laimbeer	Patton	Tompkins
Clark C J	Gibney	Litchard	Perkins	Trainor
Collins	Glaser	Mahar	Peterson	Tremper
Costello	Goodsell	Maloney	Phillips	Van Hoesen
Coughtry	Graney	Marshall	Pickett	Van Rens'aer
Cowles	Green	Martin	Post	Vincent
Crabtree	Greenwood	Mason	Raplee	Vroman
Cullen	Griggs	Matteson	Redington	Wallace
Dale	Guider	McEwan	Reisert	Weill
Davis	Hachemeis'r	McGuire	Russell	Whipple
DeGraw	Haight	McKeown	Sage	Williams
Delaney	Hanna	McLaughlin	Schmid A F	Witter
Dillon	Harburger	Meyer G W	Schmid F	Wright
Donnelly				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1825) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers.'" (Int. No. 1349.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 120 }
} NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hanna	Miles	Schmid F
Addis	Delaney	Hatch	Miller	Sears
Adler	Dillon	Hoes	Mitchell	Seligberg
Allds	Donnelly	Hays	Mohring	Shoeneck
Armstrong	Egan	Hoffman	Mullany	Simmons
Axtell	Eldridge	Hubbard	Murphy	Sinsheimer
Baker	Evarts	Hutton	Murray	Smith ELaG
Boland	Farrell	Johnson	Nixon	Stedman
Bondy	Finn	Kavanaugh	O'Connor	Streifler
Brennan E	CFish	Kelly	Oliver	Sullivan
Brennen J F	Fitzgerald	Kelsey	Palmer	Ten Eyck
Brewster	Fordyce	Kullman	Paris	Tiffany
Brown	Fritz	Laimbeer	Patton	Tompkins
Cain	Fuller	Litchard	Perkins	Trainor
Chanler	Gale	Mahar	Peterson	Tripp
Clark A L	Gibney	Maloney	Pickett	Van Hoesen
Collins	Glaser	Marshall	Pierce	Van Rens'aer
Costello	Goodsell	Martin	Post	Vincent
Cottle	Graney	Mason	Raplee	Wallace
Coughtry	Green	Matteson	Redington	Weekes
Crabtree	Greenwood	McEwan	Reisert	Whipple
Cross	Guider	McKeown	Russell	Wicke
Cullen	Hachemeis'r	McLaughlin	Sanford	Witter
Davis	Haight	Meyer G W	Schmid A F	Wright

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1274) entitled "An act to provide for the construction, operation and maintenance of an outlet sewer for the city of Mount Vernon." (Int. No. 1029.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 {
{ NOES 2 {

Those who voted in the affirmative, were

Addis	Ellis	Hoffman	Murray	Simmons
Adler	Evarts	Hubbard	Myers J C	Sinsheimer
Baker	Farrell	Hutton	Nixon	Smith E LaG
Bondy	Finn	Ives	O'Connor	Stedman
Brennen J F	Fish	Johnson	Oliver	Stoneman
Brewster	Fitzgerald	Kavanaugh	Palmer	Streifler
Burr	Fritz	Kelsey	Patton	Sullivan
Clark A L	Fuller	Kullman	Perkins	Taylor
Clark C J	Gale	Laimbeer	Peterson	Ten Eyck
Collins	Gibney	Lowenthal	Phillips	Tiffany
Costello	Glaser	Mahar	Pickett	Tompkins
Cottle	Goodsell	Maloney	Pierce	Trainor
Cowles	Graney	Marshall	Raplee	Tremper
Crabtree	Green	Mason	Reisert	Tripp
Cross	Greenwood	Matteson	Roche	Van Rens'aer
Cullen	Griggs	McEwan	Russell	Vincent
Davis	Hachemeister	McGuire	Sage	Vroman
DeGraw	Haight	McKeown	Sanford	Wallace
Delaney	Hanna	Meyer G W	Schmid F	Weekes
Dillon	Harburger	Miles	Schultz	Whipple
Donnelly	Hatch	Miller	Schulum	Wicke
Dutton	Hill	Mullany	Sears	Williams
Egan	Hoes	Murphy	Seligberg	Wright
Eldridge				

Those who voted in the negative, were

Ackert Armstrong

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1588) entitled "An act concerning certain corporations." (Int. No. 1214.)

On motion of Mr. Roche, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hoes	Nixon	Sloan
Addis	Egan	Hoffman	O'Connor	Smith E LaG
Adler	Eldridge	Hubbard	Oliver	Stedman
Allds	Ellis	Hutton	Palmer	Stoneman
Armstrong	Evarts	Ives	Paris	Streifler
Axtell	Farrell	Johnson	Patton	Sullivan
Baker	Fish	Kelly	Perkins	Taylor
Boland	Fitzgerald	Kelsey	Peterson	Ten Eyck
Bondy	Fordyce	Laimbeer	Phillips	Tiffany
Brennan E C	Fritz	Litchard	Pickett	Tompkins
Brennen J F	Fuller	Mahar	Pierce	Trainor
Brown	Gallagher	Maloney	Post	Tripp
Burr	Gibney	Marshall	Raplee	Van Hoesen
Cain	Glaser	Mason	Reisert	Van Rens'aer
Clark A L	Goodsell	Matteson	Roche	Vincent
Clark C J	Graney	McEwan	Russell	Vroman
Collins	Green	McKeown	Sage	Wallace
Cottle	Griggs	McLaughlin	Sanford	Weekes
Coughtry	Guider	Meyer G W	Schmid A F	Weill
Crabtree	Hachemeis'r	Miles	Schmid F	Whipple
Cross	Haight	Miller	Schultz	Wicke
Cullen	Hanna	Mitchell	Schulum	Williams
Davis	Harburger	Mullany	Seligsberg	Witter
DeGraw	Hays	Murphy	Shoeneck	Wright
Delaney	Hill	Murray	Simmons	Zimmerman
Donnelly				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1870) entitled "An act to relieve Charles S. Harrison, who was elected a justice of the peace of the town of Woodhull, Steuben county, on the 22d day of February, 1898, from any liability or forfeiture by reason of failure to file a statement of election expenses within the time required by law." (Int. No. 1369.)

On motion of Mr. Hatch, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hatch	Mohring	Schultz
Addis	Dillon	Hays	Mullany	Sinsheimer
Adler	Dnnelly	Hill	Murray	Sloan
Allds	Dutton	Hoffman	Myers J C	Smith E La G
Armstrong	Egan	Holbert	Nixon	Stedman
Axtell	Eldridge	Hubbard	O'Connor	Stoneman
Baker	Ellis	Hutton	Oliver	Streifler
Boland	Evarts	Ives	Palmer	Sullivan
Bondy	Farrell	Johnson	Patton	Taylor
Brennan EC	Finn	Kavanaugh	Perkins	Ten Eyck
Brennen J F	Fish	Kelly	Peterson	Tiffany
Brown	Fordyce	Kullman	Phillips	Tompkins
Burr	Fritz	Laimbeer	Pickett	Trainor
Cain	Fuller	Litchard	Pierce	Tremper
Clark A L	Gale	Lowenthal	Post	Van Hoesen
Clark C J	Gallagher	Mahar	Redington	Van Rens'aer
Collins	Gibney	Maloney	Reisert	Vincent
Costello	Glaser	Marshall	Roche	Vroman
Cottle	Goodsell	Martin	Russell	Wallace
Coughtry	Green	Mason	Sage	Weill
Cowles	Greenwood	Matteson	Sanford	Whipple
Cross	Griggs	McEwan	Schmid A F	Wicke

Cullen	Guider	McKeown	Schulum	Williams
Dale	Hachemeis'r	McLaughlin	Sears	Wright
Davis	Haight	Miles	Seligsberg	Zimmerman
DeGraw	Hanna	Mitchell	Shoeneck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1842) entitled "An act to amend section 3320 of the Code of Civil Procedure, relative to receivers' commissions." (Int. No. 1355.)

On motion of Mr. Allds, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 124 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	Mitchell	Shoeneck
Addis	Dillon	Hatch	Mohring	Sinsheimer
Adler	Donnelly	Hays	Murphy	Sloan
Allds	Dutton	Hill	Murray	Smith E LaG
Armstrong	Eldridge	Hoes	Myers J C	Stedman
Axtell	Ellis	Hoffman	O'Connor	Stoneman
Baker	Evarts	Holbert	Oliver	Streifler
Boland	Finn	Hubbard	Palmer	Sullivan
Bondy	Fish	Ives	Paris	Ten Eyck
Brennan E C	Fitzgerald	Kavanaugh	Patton	Tiffany
Brewster	Fritz	Kelly	Peterson	Tompkins
Brown	Fuller	Kelsey	Phillips	Trainor
Burr	Gale	Laimbeer	Pickett	Tremper
Cain	Gallagher	Litchard	Pierce	Tripp
Chanler	Gibney	Lowenthal	Post	Van Rens'aer
Clark A L	Glaser	Mahar	Raplee	Vincent
Clark C J	Goodsell	Maloney	Redington	Vroman
Collins	Graney	Marshall	Roche	Wallace

Costello	Green	Martin	Sage	Weill
Cottle	Greenwood	Mason	Sanford	Whipple
Coughtry	Griggs	Matteson	Schmid A F	Wicke
Cowles	Guider	McGuire	Schmid F	Witter
Cross	Hachemeis'r	McLaughlin	Schultz	Wright
Cullen	Haight	Miles	Schulum	Zimmerman
Davis	Hanna	Miller	Seligsberg	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1833) entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor,' and constituting chapter 32 of the general laws, by amending sections 2, 61, 110 and 113 thereof, and by adding thereto new sections to be entitled sections 116 and 117." (Int. No. 998.)

On motion of Mr. McGuire, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hill	Mitchell	Seligsberg
Addis	Delaney	Hoes	Mohring	Shoeneck
Adler	Dillon	Hoffman	Mullany	Sinsheimer
Allds	Donnelly	Holbert	Murphy	Sloan
Armstrong	Dutton	Hubbard	Myers J C	Smith E LaG
Axtell	Egan	Hutton	Nixon	Stedman
Baker	Ellis	Ives	O'Connor	Stoneman
Boland	Evarts	Johnson	Oliver	Streifler
Bondy	Finn	Kavanaugh	Palmer	Sullivan
Brennan EC	Fitzgerald	Kelly	Patton	Taylor
Brennen J F	Fordyce	Kelsey	Perkins	Ten Eyck
Brewster	Fritz	Kullman	Peterson	Tompkins

Brown	Fuller	Laimbeer	Phillips	Trainor
Burr	Gale	Litchard	Pickett	Tremper
Cain	Gibney	Lowenthal	Post	Tripp
Clark A L	Glaser	Mahar	Raplee	Van Hoesen
Clark C J	Goodsell	Maloney	Redington	Vincent
Collins	Graney	Marshall	Reisert	Vroman
Costello	Green	Martin	Roche	Wallace
Cottle	Greenwood	Matteson	Russell	Weill
Coughtry	Guider	McEwan	Sage	Whipple
Cowles	Hachemeis'r	McGuire	Sanford	Wicke
Crabtree	Haight	McKeown	Schmid A F	Williams
Cross	Hanna	McLaughlin	Schmid F	Witter
Cullen	Hatch	Miles	Schultz	Zimmerman
Dale	Hays	Miller	Sears	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the Senate bill (No. 906) entitled "An act to confirm and legalize certain taxes heretofore levied, or attempted to be levied, in that portion of The City of New York formerly constituting the city of Brooklyn, and in relation to the payment of the same." (Rec. No. 358.)

On motion of Mr. McKeown, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 133 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hatch	Mohring	Seligsberg
Addis	Donnelly	Hill	Mullany	Shoeneck
Adler	Dutton	Hoes	Murphy	Simmons
Allds	Egan	Hoffman	Murray	Sinsheimer
Armstrong	Eldridge	Holbert	Myers J C	Sloan
Axtell	Evarts	Hubbard	O'Connor	Smith E LaG

Baker	Farrell	Ives	Oliver	Stedman
Boland	Finn	Johnson	Palmer	Stoneman
Bondy	Fish	Kavanaugh	Paris	Streifler
Brennan E C	Fitzgerald	Kelly	Patton	Sullivan
Brewster	Fordyce	Kelsey	Peterson	Ten Eyck
Brown	Fritz	Laimbeer	Phillips	Tiffany
Burr	Fuller	Litchard	Pickett	Tompkins
Cain	Gale	Mahar	Pierce	Trainor
Clark A L	Gallagher	Maloney	Post	Tremper
Clark C J	Gibney	Marshall	Raplee	Tripp
Collins	Glaser	Martin	Redington	Van Hoesen
Costello	Goodsell	Mason	Reisert	Van Rens'aer
Cottle	Graney	Matteson	Roche	Vroman
Coughtry	Green	McEwan	Russell	Wallace
Cowles	Greenwood	McGuire	Sage	Weekes
Crabtree	Griggs	McKeown	Sanford	Whipple
Cullen	Guider	McLaughlin	Schmid A F	Wicke
Dale	Hachemeis'r	Meyer G W	Schmid F	Witter
Davis	Haight	Miles	Schulum	Wright
DeGraw	Hanna	Miller	Sears	Zimmerman
Delaney	Harburger	Mitchell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 441) entitled "An act to repeal sections 1824 to 1838 of the New York consolidation act, and the acts amendatory thereof, relating to mechanics' liens on account of public improvements in The City of New York as constituted before the taking effect of the New York charter." (Rec. No. 218.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hill	Mullany	Sinsheimer
Addis	Eldridge	Hoffman	Murphy	Sloan
Adler	Ellis	Holbert	Murray	Smith E LaG
Allds	Evarts	Hubbard	Myers J C	Stedman
Armstrong	Farrell	Hutton	Nixon	Stoneman
Axtell	Finn	Ives	Oliver	Streifler
Baker	Fish	Kavanaugh	Palmer	Sullivan
Bondy	Fordyce	Kelly	Paris	Taylor
Brennen J F	Fritz	Kelsey	Patton	TenEyck
Brewster	Fuller	Laimbeer	Perkins	Tompkins
Brown	Gale	Litchard	Phillips	Trainor
Burr	Gallagher	Lowenthal	Pickett	Tremper
Chanler	Gibney	Mahar	Pierce	Van Hoesen
Clark A L	Glaser	Maloney	Raplee	Van Rens'aer
Collins	Goodsell	Marshall	Redington	Vincent
Cottle	Graney	Martin	Reisert	Vroman
Coughtry	Green	Mason	Roche	Wallace
Cowles	Greenwood	Matteson	Russell	Weekes
Cross	Griggs	McEwan	Sanford	Weill
Cullen	Guider	McGuire	Schmid A F	Whipple
Dale	Hachemeis'r	McKeown	Schmid F	Wicke
Davis	Hanna	McLaughlin	Schultz	Witter
Delaney	Harburger	Meyer G W	Schulum	Wright
Dillon	Hatch	Miles	Sears	Zimmerman
Donnelly	Hays	Miller	Shoeneck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 1005) entitled "An act to amend chapter 723 of the Laws of 1895, known as the Religious Corporations Law." (Rec. No. 361.)

Said bill having been announced for a second reading,

On motion of Mr. Bondy, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order being the Senate bill (No. 878) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John Moore against the State for damages alleged to have been sus-

tained by him, and to render judgment therefor." (Rec. No. 362.)

Said bill having been announced for a second reading,

On motion of Mr. Bondy, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order being the Senate bill (No. 1080) entitled "An act to amend chapter 225 of the Laws of 1896, entitled 'An act in relation to the poor, constituting chapter 27 of the general laws,' in relation to the relief of indigent soldiers, sailors and marines resident in cities of the first class." (Rec. No. 350.)

On motion of Mr. Davis, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Guider	Mason	Schulum
Addis	DeGraw	Hachemeis'r	McEwan	Sears
Adler	Delaney	Haight	McKeown	Seligsberg
Allds	Dillon	Hanna	McLaughlin	Simmons
Armstrong	Donnelly	Harburger	Meyer G W	Sinsheimer
Axtell	Dutton	Hatch	Miles	Smith E La G
Baker	Egan	Hays	Mitchell	Stedman
Boland	Eldridge	Hoes	Mullany	Stoneman
Bondy	Ellis	Hoffman	Murphy	Streifler
Brennan E C	Evarts	Holbert	Myers J C	Sullivan
Brennen J F	Farrell	Hubbard	Nixon	Taylor
Brewster	Finn	Hutton	Oliver	Tiffany
Brown	Fish	Ives	Palmer	Tompkins
Burr	Fitzgerald	Johnson	Patton	Tremper
Cain	Fordyce	Kavanaugh	Perkins	Tripp

Chanler	Fritz	Kelly	Phillips	VanHoesen
Clark A L	Fuller	Kelsey	Pierce	Van Rensselaer
Clark C J	Gale	Kullman	Post	Vroman
Collins	Gallagher	Laimbeer	Raplee	Wallace
Costello	Gibney	Litchard	Redington	Weill
Cottle	Glaser	Lowenthal	Reisert	Whipple
Coughtry	Goodsell	Mahar	Russell	Wicke
Cowles	Graney	Maloney	Sage	Williams
Crabtree	Green	Marshall	Schmid A F	Witter
Cross	Greenwood	Martin	Schultz	Wright
Dale	Griggs			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 988) entitled "An act to provide a clerk for the justice of the Supreme Court residing in Jefferson county." (Rec. No. 348.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Mohring	Schultz
Addis	Dutton	Holbert	Mullany	Shoeneck
Adler	Egan	Hubbard	Murphy	Sinsheimer
Allds	Eldridge	Hutton	Murray	Smith E LaG
Armstrong	Evarts	Ives	Myers J C	Stedman
Axtell	Farrell	Johnson	Nixon	Stoneman
Baker	Finn	Kavanaugh	O'Connor	Streifler
Boland	Fish	Kelly	Oliver	Sullivan
Bondy	Fitzgerald	Kelsey	Palmer	Taylor
Brennan E C	Fordyce	Kullman	Paris	Ten Eyck

Brennen J F	Fuller	Laimbeer	Patton	Tiffany
Brewster	Gale	Litchard	Perkins	Tompkins
Brown	Gallagher	Lowenthal	Peterson	Trainor
Burr	Gibney	Mahar	Phillips	Tremper
Cain	Glaser	Maloney	Pickett	Tripp
Chanler	Goodsell	Marshall	Pierce	Van Hoesen
Clark A L	Graney	Martin	Post	Van Rens'aer
Clark C J	Greenwood	Mason	Raplee	Vincent
Collins	Griggs	Matteson	Reisert	Vroman
Crabtree	Guider	McEwan	Russell	Wallace
Cross	Hachemeist'r	McGuire	Sage	Weekes
Cullen	Haight	McKeown	Sanford	Weill
Dale	Hanna	McLaughlin	Schmid A F	Wicke
Davis	Harburger	Meyer G W	Schmid F	Williams
DeGraw	Hatch	Miles	Schulum	Witter
elaney	Hays	Miller	Sears	Zimmerman
Dillon	Hill	Mitchell	Seligsberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate concurrent resolution (No. 1024) entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to article 6, section 7 of the Constitution, relating to the Court of Appeals" (Rec. No. 349), in the words following:

Section 1. Resolved (if the Assembly concur), That section seven of article six of the constitution be amended to read as follows:

§ 7. The court of appeals is continued. It shall consist of the chief judge and associate judges now in office, who shall hold their offices until the expiration of their respective terms, and their successors, who shall be chosen by the electors of the state. The official terms of the chief judge and associate judges shall be fourteen years from and including the first day of January next after their election. Five members of the court shall form a quorum, and the concurrence of four shall be necessary to a decision. The court shall have power to appoint and to remove its reporter, clerk and attendants. Whenever and as often as a majority of the judges of the court of appeals shall certify to the governor that said court is unable, by reason of the accumulation of causes pending therein, to hear and dispose of the same with reasonable speed, the governor shall designate not more than four justices of

the supreme court to serve as associate judges of the court of appeals. The justices so designated shall be relieved from their duties as justices of the supreme court and shall serve as associate judges of the court of appeals until the causes undisposed of in said court are reduced to two hundred, when they shall return to the supreme court. The governor may designate justices of the supreme court to fill vacancies. No justice shall serve as associate judge of the court of appeals except while holding the office of justice of the supreme court, and no more than seven judges shall sit in any case.

§ 2: Resolved (if the Assembly concur), That the foregoing amendment be referred to the legislature to be chosen at the next general election of senators; and that, in conformity with section one, article fourteen of the constitution, it be published for three months previous to the time of such election.

On motion of Mr. C. J. Clark, said concurrent resolution was read the second time and ordered to a third reading.

Said concurrent resolution was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said concurrent resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 137 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Delaney	Hoes	Murphy	Shoeneck
Addis	Dillon	Holbert	Murray	Simmons
Adler	Donnelly	Hubbard	Myers J C	Sinsheimer
Allds	Dutton	Hutton	Nixon	Smith E La G
Armstrong	Egan	Ives	O'Connor	Stedman
Axtell	Eldridge	Johnson	Oliver	Stoneman
Baker	Ellis	Kavanaugh	Palmer	Streifler
Boland	Evarts	Kelly	Paris	Sullivan
Bondy	Farrell	Kelsey	Patton	Taylor
Brennan E C	Finn	Kullman	Perkins	Ten Eyck
Brennen J F	Fish	Laimbeer	Peterson	Tiffany
Brewster	Fitzgerald	Litchard	Phillips	Tompkins
Brown	Fordyce	Mahar	Pickett	Trainor
Burr	Fritz	Maloney	Pierce	Tremper

Cain	Fuller	Marshall	Post	Tripp
Clark A L	Gale	Martin	Raplee	Van Hoesen
Clark C J	Gallagher	Mason	Redington	Van Rens'aer
Collins	Gibney	Matteson	Reisert	Vincent
Costello	Glaser	McEwan	Roche	Vroman
Cottle	Greenwood	McGuire	Russell	Wallace
Coughtry	Griggs	McKeown	Sage	Weekes
Cowles	Guider	McLaughlin	Sanford	Weill
Crabtree	Hachemeis'r	Meyer G W	Schmid A F	Whipple
Cross	Haight	Miles	Schultz	Wicke
Cullen	Hanna	Mitchell	Schulum	Witter
Dale	Hatch	Mohring	Sears	Wright
Davis	Hays	Mullany	Seligsberg	Zimmerman
DeGraw	Hill			

In the negative,

Green

Ordered, That the Clerk return said concurrent resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 1025) entitled "An act to amend the Penal Code, relating to the sale of poisonous substances by druggists and pharmacists upon physicians' prescriptions." (Rec. No. 355.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

'Ackert	DeGraw	Hatch	Miles	Schulum
Addis	Delaney	Hays	Miller	Seligsberg
Adler	Donnelly	Hill	Mitchell	Shoeneck

Allds	Dutton	Hoes	Mullany	Sinsheimer
Armstrong	Eldridge	Hoffman	Murphy	Sloan
Axtell	Ellis	Holbert	Murray	Stedman
Baker	Farrell	Hubbard	Myers J C	Stoneman
Boland	Finn	Hutton	Nixon	Streifler
Bondy	Fish	Ives	O'Connor	Sullivan
Brennan E C	Fitzgerald	Johnson	Oliver	Taylor
Brennen J F	Fordyce	Kavanaugh	Palmer	Ten Eyck
Brown	Fritz	Kelly	Paris	Tiffany
Burr	Fuller	Kullman	Patton	Tompkins
Cain	Gale	Laimbeer	Perkins	Trainor
Chanler	Gallagher	Litchard	Peterson	Tremper
Clark A L	Gibney	Lowenthal	Phillips	Tripp
Clark C J	Glaser	Mahar	Pickett	Van Hoesen
Costello	Goodsell	Maloney	Pierce	Van Rens'aer
Cottle	Graney	Marshall	Raplee	Vincent
Coughtry	Greenwood	Martin	Redington	Wallace
Cowles	Griggs	Mason	Roche	Weekes
Crabtree	Guider	Matteson	Russell	Whipple
Cross	Hachemeis'r	McEwan	Sanford	Wicke
Cullen	Haight	McGuire	Schmid A F	Williams
Dale	Hanna	McKeown	Schmid F	Wright
Davis	Harburger	McLaughlin	Schultz	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 200) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the normal college of the city of New York." (Rec. No. 265.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hays	Mitchell	Seligsberg
Addis	Eldridge	Hill	Mohring	Simmons
Adler	Ellis	Hoes	Murphy	Sinsheimer
Allds	Evarts	Hoffman	Murray	Sloan
Armstrong	Farrell	Holbert	Nixon	Smith E J LaG
Axtell	Finn	Hutton	O'Connor	Stedman
Boland	Fish	Ives	Oliver	Stoneman
Bondy	Fitzgerald	Johnson	Palmer	Streifler
Brennan E C	Fordyce	Kavanaugh	Paris	Taylor
Brewster	Fritz	Kelly	Perkins	Ten Eyck
Brown	Fuller	Kelsey	Peterson	Tiffany
Cain	Gale	Lainbeer	Phillips	Trainor
Chanler	Gallagher	Litchard	Pickett	Tremper
Clark C J	Gibney	Lowenthal	Pierce	Tripp
Collins	Glaser	Mahar	Post	Van Hoesen
Costello	Goodsell	Maloney	Raplee	Van Rens'aer
Cottle	Graney	Marshall	Redington	Vincent
Coughtry	Green	Martin	Reisert	Vroman
Crabtree	Greenwood	Mason	Roche	Weekes
Cross	Griggs	Matteson	Russell	Weill
Cullen	Guider	McGuire	Sage	Whipple
Davis	Hachemeis'r	McKeown	Sanford	Wicke
DeGraw	Haight	McLaughlin	Schmid A F	Witter
Delaney	Hanna	Meyer G W	Schmid F	Wright
Dillon	Harburger	Miles	Schultz	Zimmerman
Donnelly	Hatch	Miller	Schulum	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 872) entitled "An act to amend chapter 671 of the Laws of 1897, entitled 'An act to authorize the board of estimate and apportionment of The City of New York to examine the claim of Mary E. Ward, surviving partner of the firm of Warren Ward

Company, for extra work done in the enlargement and equipment of the Metropolitan Museum of Art." (Rec. No. 356.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ A YES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hanna	Miller	Sears
Addis	Dillon	Harburger	Mitchell	Seligsberg
Adler	Donnelly	Hatch	Mullany	Shoenek
Allds	Dutton	Hays	Murphy	Simmons
Armstrong	Egan	Hill	Murray	Sloan
Axtell	Eldridge	Hoffman	Nixon	Smith E La G
Boland	Ellis	Holbert	O'Connor	Stedman
Bondy	Evarts	Hutton	Oliver	Stoneman
Brennan EC	Farrell	Ives	Palmer	Streifler
Brennen J F	Finn	Kavanaugh	Patton	Sullivan
Brewster	Fish	Kelly	Perkins	Taylor
Brown	Fitzgerald	Kullman	Peterson	Ten Eyck
Burr	Fordyce	Laimbeer	Phillips	Tiffany
Chanler	Fritz	Litchard	Pickett	Tompkins
Clark A L	Fuller	Mahar	Pierce	Trainor
Clark C J	Gale	Maloney	Raplee	Tripp
Collins	Gallagher	Marshall	Redington	Van Hoesen
Costello	Gibney	Martin	Reisert	Van Rens'aer
Cottle	Glaser	Mason	Roche	Vincent
Coughtry	Goodsell	Matteson	Russell	Vroman
Cowles	Graney	McEwan	Sage	Wallace
Crabtree	Green	McGuire	Sanford	Weekes
Cross	Greenwood	McKeown	Schmid A F	Whipple
Cullen	Griggs	McLaughlin	Schmid F	Williams
Dale	Guider	Meyer G W	Schultz	Witter
Davis	Hachemeis'r	Miles	Schulum	Wright
DeGraw				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 1039) entitled "An act to release and grant the interest of the people of the State of New York in certain real estate in the borough of Brooklyn, New York City, county of Kings and State of New York, to Nellie McNeill and Georgianna McNeill Griffiths, formerly Georgianna McNeill, their legal representatives and devisees." (Rec. No. 34.)

On motion of Mr. Kavanaugh, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 128 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hatch	Mullany	Sinsheimer
Addis	Dutton	Hays	Murray	Sloan
Adler	Egan	Hill	Myers J C	Smith E La G
Allds	Eldridge	Hoffman	Nixon	Stedman
Armstrong	Ellis	Holbert	O'Connor	Stoneman
Axtell	Evarts	Hubbard	Palmer	Streifer
Baker	Farrell	Ives	Paris	Sullivan
Boland	Finn	Johnson	Patton	Taylor
Bondy	Fish	Kavanaugh	Perkins	Ten Eyck
Brennen J F	Fitzgerald	Kelsey	Peterson	Tompkins
Brewster	Fritz	Kullman	Phillips	Tremper
Brown	Fuller	Laimbeer	Pickett	Tripp
Burr	Gale	Lowenthal	Pierce	Van Hoesen
Chanler	Gallagher	Mahar	Post	Van Rens'ae
Clark A L	Gibney	Maloney	Raplee	Vincent
Clark C J	Glaser	Marshall	Redington	Vroman
Costello	Goodsell	Martin	Reisert	Wallace

Cottle	Graney	Mason	Roche	Weekes
Coughtry	Green	Matteson	Sage	Weill
Crabtree	Greenwood	McEwan	Sanford	Whipple
Cross	Griggs	McGuire	Schmid A F	Williams
Cullen	Guider	McKeown	Schulum	Witter
Dale	Hachemeis'r	Meyer G W	Sears	Wright
Davis	Haight	Miles	Seligsberg	Zimmerman
DeGraw	Hanna	Miller	Shoeneck	
Dillon	Harburger	Mohring	Simmons	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 925) entitled "An act authorizing the State Engineer and Surveyor to continue to co-operate with the director of the United States Geological Survey in making a topographic survey and map of the State of New York, and making an appropriation therefor." (Rec. No. 352.)

On motion of Mr. Mason, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hoes	Mohring	Schultz
Addis	Donnelly	Holbert	Mullany	Schulum
Adler	Dutton	Hubbard	Murphy	Seligsberg
Allds	Egan	Hutton	Murray	Shoeneck
Armstrong	Eldridge	Johnson	Myers J C	Simmons
Axtell	Ellis	Kavanaugh	O'Connor	Sinsheimer
Baker	Farrell	Kelly	Oliver	Stedman
Bondy	Finn	Kelsey	Palmer	Stoneman

Brennan E C	Fish	Lainbeer	Paris	Streifler
Brennen J F	Fitzgerald	Litchard	Patton	Taylor
Brown	Fritz	Lowenthal	Perkins	Ten Eyck
Cain	Gale	Mahar	Peterson	Tiffany
Chanler	Gallagher	Maloney	Phillips	Trainor
Clark A L	Gibney	Marshall	Pickett	Tremper
Collins	Glaser	Martin	Pierce	Tripp
Costello	Graney	Mason	Post	Van Hoesen
Cottle	Green	McEwan	Raplee	Van Rens'aer
Cowles	Griggs	McGuire	Redington	Vincent
Crabtree	Guider	McKeown	Reisert	Wallace
Cross	Hachemeis'r	McLaughlin	Russell	Whipple
Cullen	Hanna	Miles	Sage	Williams
Dale	Harburger	Miller	Sanford	Wright
Davis	Hatch	Mitchell	Schmid F	Zimmerman
DeGraw	Hill			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 1086) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to school buildings." (Rec. No. 377.)

On motion of Mr. Trainor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Guider	McLaughlin	Schultz
Addis	DeGraw	Hachemeis'r	Meyer G W	Schulum
Adler	Delaney	Haight	Miller	Seligsberg
Allds	Dillon	Hanna	Mitchell	Shoeneck
Armstrong	Donnelly	Hatch	Mohring	Sinsheimer
Axtell	Dutton	Hays	Mullany	Sloan
Baker	Egan	Hoes	Murphy	Smith E LaG
Boland	Eldridge	Hoffman	Myers J C	Stedman
Brennan E C	Ellis	Hubbard	Nixon	Stoneman
Brennen J F	Evarts	Hutton	O'Connor	Sullivan
Brewster	Farrell	Ives	Oliver	Taylor
Brown	Finn	Kavanaugh	Palmer	Tiffany
Burr	Fish	Kelly	Patton	Tompkins
Cain	Fitzgerald	Kelsey	Perkins	Trainor
Chanler	Fordyce	Kullman	Peterson	Tripp
Clark A L	Fritz	Laimbeer	Phillips	Van Rens'aer
Clark C J	Fuller	Litchard	Pierce	Vincent
Collins	Gale	Mahar	Post	Vroman
Costello	Gallagher	Maloney	Raplee	Weekes
Cottle	Gibney	Marshall	Redington	Weill
Coughtry	Glaser	Martin	Roche	Wicke
Crabtree	Goodsell	Mason	Russell	Williams
Cross	Graney	McEwan	Sage	Witter
Cullen	Greenwood	McGuire	Schmid A F	Wright
Dale	Griggs	McKeown	Schmid F	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order being the Senate bill (No. 787) entitled "An act to authorize the abandonment of the Main and Hamburg street canal, in the city of Buffalo, the abatement of the nuisance created thereby, and vesting the title and ownership to the lands and premises included therein in said city." (Rec. No. 289.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 85 }
 } NOES 7 }

Those who voted in the affirmative, were

Ackert	Davis	Harburger	McEwan	Sage
Adler	Donnelly	Hays	McGuire	Sanford
Allds	Egan	Hill	Meyer G W	Schmid F
Baker	Ellis	Hoes	Miles	Schulum
Boland	Finn	Hoffman	Miller	Shoeneck
Bondy	Fitzgerald	Holbert	Mitchell	Simmons
Brennen J F	Fordyce	Hubbard	Mohring	Streifler
Brewster	Fritz	Hutton	Mullany	Taylor
Burr	Fuller	Ives	Nixon	Tompkins
Cain	Gale	Johnson	Oliver	Trainor
Chanler	Gibney	Kavanaugh	Paris	Tremper
Clark A L	Greenwood	Kelsey	Patton	Van Hoesen
Cowles	Griggs	Kullman	Pierce	Van Rens'aer
Crabtree	Guider	Lowenthal	Raplee	Vroman
Cross	Hachemeister	Maloney	Reisert	Whipple
Cullen	Haight	Martin	Roche	Wicke
Dale	Hanna	Mason	Russell	Witter

Those who voted in the negative, were

Clark C J	Cottle	Mahar	Phillips	Wright
Costello	Fish			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Hill called up the Senate bill (No. 903) entitled "An act to amend the Banking Law, in relation to verification of reports." (Rec. No. 270.)

Mr. Hill moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	DeGraw	Hoes	Mohring	Simmons
Addis	Dillon	Hoffman	Mullany	Sinsheimer
Adler	Donnelly	Holbert	Murphy	Sloan
Allds	Dutton	Hubbard	Murray	Smith E LaG
Armstrong	Eldridge	Hutton	Myers J C	Stedman
Axtell	Ellis	Ives	Nixon	Stoneman
Baker	Evarts	Johnson	O'Connor	Streifler
Boland	Farrell	Kavanaugh	Palmer	Sullivan
Bondy	Finn	Kelly	Paris	Taylor
Brennen J F	Fish	Kelsey	Patton	Ten Eyck
Brewster	Fordyce	Kullman	Perkins	Tiffany
Brown	Fuller	Litchard	Peterson	Tompkins
Burr	Gallagher	Lowenthal	Phillips	Trainor
Cain	Gibney	Maloney	Post	Tremper
Clark A L	Glaser	Marshall	Raplee	Tripp
Clark C J	Goodsell	Martin	Redington	Van Hoesen
Collins	Graney	Mason	Reisert	Vincent
Costello	Green	Matteson	Roche	Vroman
Cottle	Greenwood	McEwan	Russell	Weekes
Coughtry	Hachemeister	McGuire	Schmid F	Weill
Cowles	Haight	McKeown	Schmid A F	Whipple
Crabtree	Hanna	McLaughlin	Schultz	Wicke
Cross	Harburger	Miles	Schulum	Witter
Cullen	Hatch	Miller	Seligberg	Wright
Dale	Hays	Mitchell	Shoeneck	Zimmerman
Davis	Hill			

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. E. C. Brennan, Van Rensselaer, Pierce, Sears, Sage, Williams, Wallace, Sanford, Pickett and Guider, each of whom, upon giving a satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
 { NOES 25 }

Those who voted in the affirmative, were

Addis	Davis	Ives	Nixon	Sullivan
Adler	DeGraw	Johnson	Paris	Taylor
Allds	Dutton	Kavanaugh	Patton	Ten Eyck
Armstrong	Eldridge	Kelly	Perkins	Tiffany
Axtell	Ellis	Kelsey	Peterson	Tremper
Baker	Evarts	Litchard	Pierce	Tripp
Boland	Fish	Lowenthal	Post	Van Rens'aer
Bondy	Fordyce	Marshall	Raplee	Vincent
Brennan E C	Fuller	Martin	Russell	Vroman
Brewster	Glaser	Mason	Sears	Wallace
Burr	Goodsell	Matteson	Seligsberg	Weekes
Clark A L	Greenwood	McEwan	Shoeneck	Weill
Clark C J	Hanna	McGuire	Simmons	Whipple
Costello	Hatch	McKeown	Sloan	Williams
Cottle	Hays	McLaughlin	Smith E La G	Witter
Coughtry	Hill	Miles	Stedman	Wright
Cowles	Hoes	Miller	Stoneman	Zimmerman
Cross	Holbert	Murphy	Streifler	

Those who voted in the negative, were

Brennen J F	Cullen	Hutton	Phillips	Sanford
Brown	Dale	Kullman	Pickett	Schmid F
Cain	Dillon	Mitchell	Redington	Schultz
Chanler	Donnelly	Mohring	Reisert	Van Hoesen
Collins	Hoffman	Mullany	Sage	Wicke

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
 { NOES 32 }

Those who voted in the affirmative, were

Addis	Davis	Hoes	Miles	Stedman
Adler	DeGraw	Holbert	Miller	Stoneman
Allds	Dutton	Ives	Murphy	Streifler
Armstrong	Eldridge	Johnson	Myers J C	Sullivan
Axtell	Ellis	Kavanaugh	Nixon	Taylor
Baker	Evarts	Kelly	Paris	Ten Eyck
Boland	Finn	Kelsey	Patton	Tiffany
Bondy	Fish	Laimbeer	Perkins	Tremper
Brennan EC	Fordyce	Litchard	Peterson	Tripp
Brewster	Fritz	Lowenthal	Pierce	Van Rens'aer
Burr	Fuller	Marshall	Post	Vincent
Clark A L	Gibney	Martin	Russell	Vroman
Clark C J	Glaser	Mason	Schmid A F	Wallace
Costello	Goodsell	Matteson	Sears	Weekes
Cottle	Greenwood	McEwan	Shoeneck	Weill
Coughtry	Hanna	McGuire	Simmons	Whipple
Cowles	Hatch	McKeown	Sloan	Williams
Crabtree	Hays	McLaughlin	Smith E LaG	Witter
Cross	Hill			

Those who voted in the negative, were

Chanler	Graney	Hubbard	Murray	Reisert
Collins	Green	Hutton	O'Connor	Sanford
Cullen	Guider	Kullman	Phillips	Schmid F
Dale	Hachemeis'r	Mitchell	Pickett	Schultz
Dillon	Haight	Mohring	Raplee	Van Hoesen
Donnelly	Harburger	Mullany	Redington	Wicke
Farrell	Hoffman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1276, Senate reprint No. 1877) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1031), with a message that they have concurred in the passage of the same with the following amendments:

Page 2, after line 16, insert the following:

“ EXECUTIVE DEPARTMENT.

“ The sum of one hundred and seventy-five dollars, being the amount paid by the governor for expenses of an investigation of the superintendent of public buildings, and paid from the appropriation for the expenses of the governor’s office, is hereby appropriation to reimburse expenses of the said office.”

“ COURT OF APPEALS.

“ For compensation of clerks of judges of the court of appeals, and for expenses incurred pursuant to chapter two hundred and twenty-one of the laws of eighteen hundred and ninety-seven, the sum of eight thousand four hundred dollars, or so much thereof as may be necessary.

“ For the expenses of the judges of the court of appeals for the year eighteen hundred and ninety-eight, eleven thousand nine hundred dollars, and annually hereafter a like sum shall be allowed for the same purpose, in addition to that now provided by law.”

Page 7, line 19, strike out the word “ twenty-five ” and insert the word “ ten.”

Page 8, line 13, after the word “ dollars ” insert the words “ or so much thereof as may be necessary.”

Page 9, line 9, strike out the word “ six ” and insert the word “ three.”

Page 10, line 14, strike out the word “ two ” and insert the word “ four.”

Same page, line 22, after the word “ necessary ” insert the following:

“ To the comptroller, to pay for the services of the clerk to the president of the senate and for services of the clerk to the speaker of the assembly, one thousand dollars each, for the year eighteen hundred and ninety-eight.

“ For the comptroller, for the payment of interest at three and one-half per centum, for one year, on four hundred thousand dollars of Adirondack park bonds, issued pursuant to chapter two hundred and twenty of the laws of eighteen hundred and ninety-seven, fourteen thousand dollars, or so much thereof as may be necessary.

“ To the comptroller, two thousand dollars, or so much thereof as may be necessary, to reimburse the town of Elko, Cattaraugus county, for damages and expenses paid or incurred by the town on account of the fall, on October twenty-eight, eighteen hundred and ninety-three, of a state bridge across the Allegheny river, in

that town, upon the Allegheny Indian reservation, to be paid by the comptroller to the supervisor of the said town, or on his order, upon his filing with the comptroller a release of all claims for damages or otherwise against the state on account of the falling of said bridge.

“ For the comptroller, for the repayment of moneys uncollected which were assessed on certain railroad corporations, pursuant to chapter three hundred and fifty-three of the laws of eighteen hundred and eighty-two, and section one hundred and seventy, chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, and the several acts amendatory thereof and supplemental thereto, the sum of three thousand five hundred eighteen dollars and fifty-nine cents, to be refunded to the treasurer by the several corporations owning or operating railroads in this state, in such manner as is prescribed by law.”

Page 12, line 11, strike out the word “ ten ” and insert the word “ seven.”

Same page, at the end of line 16, insert:

“ For the state engineer and surveyor, for traveling expenses and disbursements and for expenses incurred by his department in making examinations, surveys and maps, and for restoring and placing monuments on the boundary lines of the state, pursuant to chapter four hundred and twenty-one, laws of eighteen hundred and eighty-seven, the sum of six thousand eight hundred dollars, payable from the general fund.

“ To the state engineer and surveyor, the sum of two thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of moneys not otherwise appropriated, to repair and preserve the highway known as the ‘ state road ’ in the town of Colton, Saint Lawrence county, said moneys to be expended under the supervision and direction of the state engineer and surveyor.”

Page 13, at the end of line 10, insert:

“ For the payment to Louis Diamant for his services and disbursements as counsel to the attorney-general in the matter of the charges preferred against Edward J. H. Tamsen as sheriff of the county and city of New York, pursuant to an order of the governor, dated the eighteenth day of February, eighteen hundred and ninety-six, the sum of twelve hundred dollars, or so much thereof as may be necessary, to be paid on the certificate of the attorney-general to the order of the comptroller.”

Page 13, line 12, after the word “ Batavia ” insert the words “ the following items or so much thereof as may be necessary.”

Page 14, line 12, after the word “ dollars ” insert the words “ or so much thereof as may be necessary.”

Same page, line 13, after the word "for" strike out the words "office expenses," and after the word "printing" strike out the words "et cetera" and insert the words "and other necessary expenses."

Same page, line 14, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, strike out lines 22, 23, 24 and 25.

Page 15, strike out lines 1 and 2.

Same page, after line 2 insert:

"For fisheries, game and forest commission, for services and disbursements of counsel in proceedings brought under chapter three hundred and ninety-two of the laws of eighteen hundred and ninety-seven, and in defense of actions brought to restrain the same, the sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated.

"For the fisheries, game and forest commission, for an exhibit at the New York State Fair of eighteen hundred and ninety-eight of the various species of fish and showing the propagation of same, and for a forestry exhibit, the sum of five hundred dollars.

"For counsel fees incurred by the forest commission of the state of New York and the members thereof in defending the action of George C. Sherman against the Adirondack Railroad Company and others, one thousand dollars, to be audited by the commissioner of fisheries, forest and game.

"For the commissioners of fisheries, game and forest, ten thousand dollars, for docks and improvements upon the state lands in the state reservation on the Saint Lawrence river."

Same page, strike out lines 9, 10 and 11; also lines 22, 23, 24, 25 and 26.

Page 17, line 16, after the word "him" insert the words "payable from the canal fund."

Same page, after line 25, insert:

"The sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purpose of dredging the Cayuga and Seneca canals, and for the removal of bars and other obstructions in the canal below the first mud lock and the lock at the beginning of the canal near the lake, said moneys to be expended under the direction of the superintendent of public works.

"Superintendent of public works, for the construction of a highway and the necessary sluices upon the Tonawanda Indian reservation, in the county of Genesee, at the westerly end of the Judge road, so-called, to and across the Oak Orchard creek feeder and gates thereof, and for the building of bridges and betterments of the highway already constructed on said reservation, the sum of one thousand dollars, or so much thereof as may be necessary.

“Superintendent of public works, the sum of seven thousand dollars, or so much thereof as may be necessary, to complete bridge over Erie canal at Fitzhugh street, Rochester, as authorized by chapter thirty-two of the laws of eighteen hundred and ninety-seven.

“For the superintendent of public works, for the repairs of highways on the Onondaga Indian reservation, to be expended under the direction of the superintendent of public works on the roads known as ‘Quarry,’ ‘Cardiff,’ ‘South Hollow,’ ‘William Hill’ and ‘Albert Everingham’ roads, the sum of two thousand dollars, or so much thereof as may be necessary.

“For the superintendent of public works, for the completion, extension and construction of a bridge over the canal feeder at Medina, as provided in chapter seven hundred and ninety-one of the laws of eighteen hundred and ninety-six, the sum of three thousand dollars.

“The sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated to repair the highways on the Indian reservation in the town of Salamanca, said moneys to be expended under the direction of the superintendent of public works.

“For the purpose of building dams supplemental to the state dam on Beaver river, seven thousand dollars; for building keeper’s house, fifteen hundred dollars; for paying deficiency in expenditures of the commissioners appointed by chapter one hundred and sixty-eight of the laws of eighteen hundred and ninety-four, fifteen hundred dollars; said moneys to be expended by said commissioners, under the supervision of the superintendent of public works, but no dam shall be erected except the plans therefor have been approved by the forest preserve board.

“For the superintendent of public works, for preparing, filling in, grading and sodding the ground surrounding the new capitol, for the construction and laying of walks therein, and for the sundry expenses connected with furnishing the capitol, the sum of fifty thousand dollars, or so much thereof as may be necessary.”

Page 18, line 12, after the word “dollars” insert:

“PUBLIC INSTITUTIONS.

“To the board of managers of the State Custodial Asylum for Feeble-Minded Women, for the purpose of building a cottage dormitory similar to the ‘D’ building now in use, which the managers shall be allowed to build without reference to section six, chapter eighty-four of the laws of eighteen hundred and ninety-five, and furnishing, heating, lighting and equipping the

same for the accommodation of not less than fifty inmates, eighteen thousand dollars, or so much thereof as may be necessary; for maintenance, five thousand dollars, or so much thereof as may be necessary

“For the Thomas Asylum, orphan and destitute Indian children, for furnishing new administration building, two thousand dollars, and for finishing cow barn, seven hundred dollars, or so much thereof as may be necessary.

“The sum of eight thousand six hundred thirty-two and seven one-hundredths dollars, being a portion of the unexpended balance of the appropriation from two hundred thousand dollars made by chapter nine hundred and forty-eight of the laws of eighteen hundred and ninety-six, for the maintenance and ordinary repairs for the New York State Reformatory at Elmira, is hereby reappropriated for securing additional facilities and instruction in the manual, technological and letters schools of said institution.

“The sum of forty-two dollars, being the amount now in the treasury of the Woman's Monument Fund, created by chapter one hundred and ninety-six of the laws of eighteen hundred and eighty-six, is hereby appropriated and shall be paid to the trustees of the Soldiers and Sailors' Home at Bath, pursuant to the provisions of said act.

“For the Western House of Refuge for Women at Albion, for raising roof of storehouse and making other necessary changes for use of an assembly room and other purposes, three thousand dollars; and for addition to the present power-house of an electric-light plant and carpenter shop, two thousand dollars; and for the equipment and extraordinary repairs, one thousand dollars; and for recovering steam pipes, five hundred dollars, or so much thereof as may be necessary.

“For the Syracuse State Institution for Feeble-Minded Children, to be expended under the direction of the local board of managers, for excavation and for the construction of an underground tunnel or conduit for the steam and other pipes between the boys' building and the stable, fourteen hundred dollars; and for new floors and steel ceilings in various parts of the building, one thousand dollars, or so much thereof as may be necessary; said sums to be paid from the unexpended balance, October first, eighteen hundred and ninety-seven, of the appropriation of eighty-one thousand dollars, made by chapter nine hundred and forty-eight of the laws of eighteen hundred and ninety-six, for the maintenance and ordinary repairs to said institution, which unexpended balance is hereby reappropriated.”

Page 19, strike out lines 2, 3, 4, and 5 and insert in place thereof:

"For the commissioners of the State Reservation at Niagara, for the construction of a rustic stone arch bridge from Goat island to the first Sister island in the reservation, upon a plan to be approved by the state engineer and surveyor, and for other improvements in the reservation, the sum of fifteen thousand dollars."

Same page, line 23, strike out the word "twenty" and insert the word "fifteen."

Page 20, after line 2, insert:

"To Charles A. Weiting, in lieu of and in full of all traveling and other expenses incurred by him as commissioner of agriculture for the year beginning May first, eighteen hundred and ninety-eight, the sum of five hundred dollars, payable in equal monthly installments, from the moneys appropriated to pay the expenses of the department of agriculture.

"To George L. Flanders, in lieu of and in full of all traveling and other expenses incurred by him as assistant commissioner of agriculture for the year beginning May first, eighteen hundred and ninety-eight, the sum of five hundred dollars, payable in equal monthly installments, from the moneys appropriated to pay the expenses of the department of agriculture.

"For the commissioner of agriculture, for expenses and for the continuance and extension of the work of his department, pursuant to the provisions of chapter three hundred and thirty-eight of the laws of eighteen hundred and ninety-three, and the acts amendatory thereof, to the close of the fiscal year, the sum of twenty-five thousand dollars.

"For the New York State Agricultural Experiment Station at Geneva, for the expense of bulletins and of the enforcing the provisions of the law in relation to commercial fertilizers, as shall be authorized by the board of control, pursuant to chapter four hundred and thirty-seven, laws of eighteen hundred and ninety, the sum of ten thousand dollars, or so much thereof as may be necessary."

Same page, line 6, after the word "four" insert the words "the following items or so much thereof as may be necessary."

Page 21, line 11, after the word "ninety-one" strike out the word "one" and insert the word "two," and after the word "thousand" insert the words "five hundred."

Same page, line 21, strike out lines 22, 23, 24 and 25 and insert in place thereof:

"To the regents of the university, for finishing and furnishing the fifth floor of the west end of the capitol, including shelving,

ceiling to room fifty-four, tables, chairs, ventilators, double windows, radiators, carpeting and other items necessary to make available for immediate use, five thousand dollars, or so much thereof as may be necessary."

Page 22, line 23, after the word "of" strike out the word "three" and insert the word "two."

Same page, line 25, after the word "library" insert:

"For maintenance of the libraries of the appellate division and trial terms of the supreme court in the first judicial department, two thousand dollars."

Page 23, line 2, after the word "of" strike out the word "three" and insert the word "two."

Same page, line 8, after the word "of" strike out the word "three" and insert the word "two."

Same page, line 13, after the word "of" strike out the word "three" and insert the word "two."

Same page, line 19, after the word "criminals" insert the words "the following items or so much thereof as may be necessary."

Page 24, line 2, after the word "quarantine" insert the words "the following items or so much thereof as may be necessary."

Same page, line 2, after the word "quarantine" strike out remainder of line, and line 3 down to and including the word "sum."

Same page, line 4, after the word "dollars" strike out the words "shall be expended."

Same page, line 6, after the word "island" strike out the semicolon.

Same page, line 8, after the word "dollars" insert the word "and."

Same page, line 9, after the word "dollars" insert the words "for care and maintenance, sixteen thousand and seventy dollars."

Page 25, line 15, after the word "and" strike out the word "forty-eight" and insert the word "fifty."

Same page, line 17, after the word "reappropriated" insert the words "out of the free school fund."

Page 26, at the end of line 10, insert:

"For the department of public instruction, for the payment of the necessary legal expenses and counsel fees in the defense of actions brought against the state superintendent in his official capacity, and also for the fees of counsel and legal expenses in application of Frederick D. Light and others, for a writ of certiorari to review the action and decision of the state superintendent of public instruction in the removal of the appellants from their office as members of the board of education of the town of Dunkirk, and for the printing and expenses upon appeal of said

proceedings, and necessary disbursements connected therewith, the sum of three thousand dollars, to be paid upon the warrant of the comptroller, upon the bills approved by the superintendent.

“For the use and improvement of the school and schoolhouse on the Onondaga Indian reservation, the sum of three hundred dollars, to be expended under the direction of the superintendent of public instruction.”

Page 27, line 13, after the word “dollars” insert:

“For the state geologists, for geological field work, for the completion of the geological map of the state, the examination of and reports upon, limestones, water-lime, clays and other economic geological products of the state, the sum of three thousand dollars, payable on the certificate of the state geologist, and the audit of the comptroller.”

Same page, strike out lines 15, 16, 17, 18, 19 and 20, and insert in place thereof:

“For the board of railroad commissioners, for an electrical expert, for the necessary traveling expenses, and for the purchase of necessary law and statistical books, the sum of four thousand two hundred and fifty dollars, this amount to be paid by the comptroller, upon the requisition of the board of railroad commissioners, and to be refunded to the treasury by the several corporations owning or operating railroads in this state, in such manner and proportion as is prescribed by law.”

Same page, line 26, after the word “necessary” insert:

“For painting and decorating rooms of the court of appeals, for replacing broken plate glass in exterior windows, the work to be done under the supervision of the superintendent of public buildings, the sum of one thousand five hundred dollars, or so much thereof as may be necessary.

“To the superintendent of public buildings, for the purpose of reconstructing the elevators on the south side of the capitol and furnishing and erecting four ornamental elevator fronts and mechanical indicators, as well as the sliding doors for the two upper floors, in accordance with the designs and specifications submitted by Otis Brothers and Company, on February second, eighteen hundred and ninety-eight, the sum of nineteen thousand seven hundred dollars is hereby appropriated, and the superintendent of public buildings is authorized and directed to enter into contract with Otis Brothers and Company for the said work, in accordance with the above plans and specifications, not exceeding the sum hereby appropriated.”

Page 28, line 17, after the word “Rochester” insert the words “the following items or so much thereof as may be necessary.”

Page 29, line 13, after the word "thousand" strike out the word "four" and insert the word "six."

Same page, strike out lines 19, 20, 21, 22, 23 and 24.

Page 30, strike out lines 1 and 2, and after line 2 insert:

"PUBLIC BUILDINGS.

"For the balance due for work in repairing interior and exterior of the state hall, to be paid on the approval of the comptroller, superintendent of the banking department and state engineer and surveyor, the sum of six thousand nine hundred and eighty-two dollars and seventeen cents, or so much thereof as may be necessary."

Same page, strike out lines 3, 4, 5, 6 and 7.

Same page, line 19, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 26, after the word "sary" insert:

"And so much of said twenty thousand dollars as may be necessary shall be used for the following purposes: For the necessary repairs and improvements of the state armory at Syracuse, five thousand dollars; and for the necessary repairs for the armory at Kingston, to complete improvement to building now in progress, for changing partitions and other betterments, the sum of fifteen hundred dollars."

Page 31, line 17, after the word "necessary" insert:

"For the adjutant-general, for completing the armory, the grading of grounds and construction of granolithic walks at the state armory at Olean, New York, the sum of six hundred and twenty-five dollars.

"For the adjutant-general, to make good the deficiency now existing for repairing uniforms, overcoats, trousers, blouses, blankets and equipment worn out in service, and to complete the necessary equipment for field service and medical outfit, to be expended as provided by the military code, the sum of one hundred and twenty-five thousand dollars, or so much thereof as may be necessary.

"For the adjutant-general, for services and necessary traveling expenses in prosecuting war claims of the state against the United States under his direction, six thousand dollars, or so much thereof as may be necessary, to be approved by the governor as commander-in-chief.

"For the acquisition of a piece of land about sixty-six feet front and one hundred and twenty-five feet deep, located on the east side of Academy street, in the village of Oneonta, for the use of the state armory in such village, the sum of three thousand dollars, or so much thereof as may be necessary, and the adjutant-general, inspector-general and chief of ordnance, who are ap-

pointed a commission for the purposes hereof, are hereby authorized to acquire such lands for and in the name of the state, by purchase or condemnation, the title to which shall be approved by the attorney-general.

"The sum of seven thousand seven hundred and fifty dollars and eleven cents, being the unexpended balance of appropriation of twenty thousand dollars made by chapter nine hundred and fifty of the laws of eighteen hundred and ninety-six for repairs, improvements and betterments of the state arsenals, armories, state camp and rifle ranges at Creedmoor and throughout the state, is hereby reappropriated for the same purposes.

"For D. W. Barnes and Son, for rebate on their contract of August tenth, eighteen hundred and ninety-five, for repairs of Auburn armory by reason of the loss of old material, of two-thirds of two stores and of building necessarily left standing, and for repairing roof over said stores, the sum of three hundred and seventy-nine dollars and four cents, or so much thereof as may be necessary, to be paid on the certificate of the armory commission.

"NAVAL MILITIA.

"For the naval militia, for expenses in coast defense and for chartering tugs or other vessels, twelve thousand nine hundred and twenty-seven dollars and fifty cents, for uniforming the second battalion and special or engineers' division and other organizations and for other general expenses, twenty-two thousand and seventy-two dollars and fifty cents, or so much thereof as may be necessary, such expenditures to be made on the approval of the commander-in-chief and audit of the comptroller."

Same page, strike out lines 18, 19, 20 and 21.

Same page, line 23, after the word "home" insert the words "the following items or so much thereof as may be necessary."

Page 34, line 12, after the word "Geneseo" strike out remainder of line.

Same page, line 15, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 35, line 7, after the word "floor" strike out the words "et cetera" and insert the words "and other repairs."

Same page, line 14, after the word "cents" insert:

"For the salary of superintendent, compensation of clerks and other persons employed, and necessary expenses of the Onondaga Salt Springs, twenty thousand dollars, pursuant to chapter two hundred and sixty-one of the laws of eighteen hundred and ninety-seven.

"For William Thomas, for services as stenographer for the sen-

ate during the session of eighteen hundred and ninety-eight, one hundred dollars.

“For extra services of J. D. Taylor, acting stenographer to the speaker of the assembly, for the session of eighteen hundred and ninety-seven and eighteen hundred and ninety-eight, the sum of one hundred and seventy-five dollars.

“For the care and treatment of indigent residents of the state of New York at the Pasteur Institute, of the city of New York, at the rate of two hundred dollars for each patient so cared for and treated, the sum of six thousand dollars, or so much thereof as may be necessary, to be paid upon the rendering of the accounts duly certified and after due audit by the comptroller.

“Swart Murphy, stenographer to the committee on taxation and retrenchment, four hundred and twenty-five dollars.

“For Caroline Austin Sickels, widow of the late Hiram E. Sickels, reporter to the court of appeals, who died July four, eighteen hundred and ninety-five, so much of the annual compensation of said reporter for the year eighteen hundred and ninety-five as would have been earned by him had he continued to live until the close of that year, the sum of two thousand four hundred and forty-five dollars and twenty cents.

“The sum of fifteen thousand dollars is hereby appropriated for the expenses of the commissioners appointed by the governor to investigate the expenditure of the nine million dollar canal appropriation, or so much thereof as may be necessary.

“For the faculty of the medical department of the University of Buffalo, for the equipment and maintenance of a laboratory to be devoted to an investigation into the causes, nature, mortality rate and treatment of cancer, and the salaries of officials of the same, ten thousand dollars; same to be paid upon vouchers officially signed by the director of said laboratory, or, in his absence, by the secretary and treasurer of the faculty.

“For the salary of the custodian of the Grant cottage, as provided by chapter six hundred and sixty-seven of the laws of eighteen hundred and ninety-six, the sum of one thousand dollars; for repairs to the Grant cottage, situate on Mount McGregor, the sum of three hundred dollars.

“For the board of examiners of improved fire arms for the use of the military of this state, for expenses and disbursements, the sum of fifty dollars, or so much thereof as may be necessary, in pursuance of chapter six hundred of the laws of eighteen hundred and ninety-five and chapter one hundred and ninety-seven of the laws of eighteen hundred and ninety-six.

“For the stenographer of the finance committee, the sum of six hundred dollars.

“For the superintendent of the state land survey for surveying and fixing the line between the counties of Herkimer and Lewis, with the general work of the state land survey, the sum of five thousand dollars, or so much thereof as may be necessary, payable out of the appropriation of twenty-five thousand dollars to said superintendent for continuing the work of the state land survey for the year.”

Same page, line 19, after the word “necessary” insert:

“For the state superintendent of public instruction, for the payment of fees of county treasurers for receiving and disbursing the state school tax for the years eighteen hundred and ninety-seven and eighteen hundred and ninety-eight, the sum of twenty thousand dollars, or so much thereof as may be necessary.

“For the American Museum of Natural History in the city of New York for continuing the instruction of natural history, geography and kindred subjects to the several state normal schools, the normal college of the city of New York, the training school for teachers in the city of Brooklyn, the teachers’ institute in the different counties of the state, and to the teachers in the common schools of the city of New York and Brooklyn and vicinity, as per contract entered into between the state superintendent of public instruction and the American Museum of Natural History of the city of New York, as authorized by chapter ninety-seven of the laws of eighteen hundred and ninety-seven, eighteen thousand dollars.”

Page 38, line 12, after the word “comptroller” insert:

“Moneys herein appropriated for the repair, improving, furnishing or building of state institutions, or for the purchase or improvement on the grounds thereof, shall only be advanced to the several boards of managers of state institutions as the work progresses or the purchase is made, and upon bills duly certified, rendered and audited.”

Mr. Nixon moved to non-concur in the Senate amendments and that a committee of conference be requested thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk deliver said bill to the Senate, with a message that the Senate amendments have been non-concurred in, and that a committee of conference is requested thereon.

The Senate returned the bill (No. 961, Assembly reprint No. 1104) entitled “An act to encourage the development of art in the cities of the State” (Int. No. 826), with a message that they have

concurred in the passage of the same with the following amendments:

Section 1, last line, strike out the word "twenty-five" and insert in lieu thereof the word "ten."

Add at the end of section three the following: "And be placed in the public buildings, grounds or parks thereof for the purpose of beautifying the same."

Mr. Marshall moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 {
{ NOES 00 {

Those who voted in the affirmative, were

Ackert	Dale	Harburger	Mullany	Simmons
Addis	Davis	Hatch	Murphy	Sinsheimer
Adler	DeGraw	Hays	Murray	Sloan
Allds	Delaney	Ives	Myers J C	Smith E LaG
Armstrong	Dillon	Johnson	Nixon	Stedman
Axtell	Donnelly	Kavanaugh	O'Connor	Stoneman
Baker	Dutton	Kelly	Oliver	Streifler
Boland	Finn	Kelsey	Palmer	Sullivan
Bondy	Fish	Kullman	Paris	Taylor
Brennan E C	Fitzgerald	Laimbeer	Patton	Ten Eyck
Brennen J F	Fordyce	Litchard	Perkins	Tiffany
Brewster	Fritz	Lowenthal	Peterson	Tripp
Brown	Fuller	Mahar	Redington	Van Hoesen
Burr	Gale	Maloney	Reisert	Van Rens'aer
Cain	Gallagher	Marshall	Roche	Vincent
Chanler	Gibney	Martin	Russell	Vroman
Clark A L	Glaser	Mason	Sage	Wallace
Clark C J	Goodsell	Matteson	Sanford	Weekes
Collins	Graney	McEwen	Schmid A F	Weill
Costello	Green	McGuire	Schmid F	Whipple
Cottle	Greenwood	McLaughlin	Schultz	Wicke
Coughtry	Griggs	Meyer G W	Schulum	Williams
Cowles	Guider	Miles	Sears	Witter
Crabtree	Hachemeis'r	Miller	Seligsberg	Wright
Cross	Haight	Mitchell	Shoeneck	Zimmerman
Cullen	Hanna	Mohring		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

A communication was received from the Hon. T. E. Kinney, mayor of the city of Utica, returning the bill (No. 908) entitled "An act to amend chapter 738 of the Laws of 1897, entitled 'An act creating a board of assessors in and for the city of Utica and defining its powers'" (Int. No. 590), with a message that the common council of said city, after a public hearing thereon, does not approve said bill, and does not accept the same, and with the further message that said mayor of said city does approve said bill and does accept the same.

Mr. Speaker stated the question to be "Shall this bill become a law, notwithstanding the objections of the common council, the legislative body of said city of Utica, the same having been accepted by the mayor of said city?"

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hays	Miller	Sears
Addis	Dutton	Hill	Mitchell	Seligsberg
Adler	Egan	Hoes	Mullany	Shoeneck
Allds	Eldridge	Hoffman	Murphy	Simmons
Armstrong	Ellis	Holbert	Murray	Sinsheimer
Axtell	Evarts	Hubbard	Myers J C	Sloan
Baker	Farrell	Hutton	Nixon	Stedman
Bondy	Finn	Ives	O'Connor	Stoneman
Brennan E C	Fish	Kavanaugh	Oliver	Streifler
Brennen J F	Fitzgerald	Kelly	Palmer	Sullivan
Brewster	Fordyce	Kelsey	Patton	Taylor
Burr	Fuller	Lainbeer	Perkins	Tiffany
Cain	Gale	Litchard	Phillips	Tompkins
Clark A L	Gibney	Mahar	Pickett	Trainor
Clark C J	Glaser	Maloney	Post	Tripp
Collins	Goodsell	Marshall	Raplee	Van Rens'aer
Costello	Green	Martin	Reisert	Vincent

Coughtry	Greenwood	Mason	Roche	Wallace
Cowles	Griggs	Matteson	Russell	Weekes
Cross	Guider	McEwan	Sage	Weill
Cullen	Hachemeis'r	McGuire	Sanford	Wicke
Davis	Haight	McKeown	Schmid A F	Williams
DeGraw	Hanna	McLaughlin	Schmid F	Wright
Delaney	Harburger	Meyer G W	Schultz	Zimmerman
Dillon	Hatch	Miles	Schulum	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 1276, Assembly reprint No. 1877) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1031), with a message that they have assented to the request for a committee of conference thereon, and have appointed as such committee on the part of the Senate Messrs. Higgins, Raines and Cantor.

Mr. Speaker announced as such committee of conference on the part of the Assembly, Messrs. Nixon, Kelsey, Allds, Donnelly and Palmer.

Ordered, That the Clerk deliver said bill to the Senate, with a message of the appointment of a committee of conference on the part of the Assembly.

Mr. Maloney offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of the bill (No. 1224) entitled "An act to amend chapter 105 of the Laws of 1891, relating to the vacations and leave of absence of firemen" (Int. No. 484), for the purpose of transmitting the same to the city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Delaney offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), that a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1469, entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the acts amendatory thereof," (Int. No. 1151), for the purpose of transmitting the same to the city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor Assembly bill No. 1469, entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the acts amendatory thereof" (Int. No. 1151), for the purpose of transmitting the same to the city, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 29, 1898.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned Assembly bill No. 1469, entitled "An act to further amend chapter 26 of the laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the acts amendatory thereof" (Int. No. 1151), for the purpose of transmitting the same to the city.

FRANK S. BLACK.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

Mr. Crabtree offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), that a respectful message be sent to the Governor, requesting the return to the Assembly of

Assembly bill No. 780, entitled "An act making appropriation for the relief of indigent soldiers, sailors, marines and the families of those deceased" (Int. No. 695), for the purpose of transmitting the same to the city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor Assembly bill No. 780, entitled "An act making an appropriation for the relief of indigent soldiers, sailors, marines and the families of those deceased" (Int. No. 695), for the purpose of transmitting the same to the city, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 29, 1898.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned Assembly bill No. 780, entitled "An act making appropriation for the relief of indigent soldiers, sailors, marines and the families of those deceased" (Int. No. 695), for the purpose of transmitting the same to the city.

FRANK S. BLACK.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Mr. Simmons offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill, No. 816, entitled "An act to amend the Highway Law, relative to commutations of labor on highways" (Int. No. 193), be returned to the Governor without amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution that Assembly bill (No. 816) entitled "An act to amend the Highway Law, relative to commutations of labor on highways" (Int. No. 193), be returned to the Governor without amendment, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Boland offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1025, entitled "An act to regulate the appointment and terms of office of commissioners of deeds in the cities of this state, situated in counties having a population of not less than 300,000 and not more than 550,000, according to the last State or Federal enumeration" (Int. No. 653), for the purpose of transmitting to the city.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor Assembly bill No. 1025, entitled "An act to regulate the appointment and terms of office of commissioners of deeds in the cities of this State, situated in counties having a population of not less than 300,000 and not more than 550,000, according to the last State or Federal enumeration" (Int. No. 653), for the purpose of transmitting the same to the city, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. McKeown offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1553, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof'"

(Int. No. 1191), for the purpose of transmitting the same to the city.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor Assembly bill No. 1553, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' " (Int. No. 1191), for the purpose of transmitting the same to the city, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 29, 1898.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned Assembly bill No. 1553, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof' " (Int. No. 1191), for the purpose of transmitting the same to the city.

FRANK S. BLACK.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of The City of New York.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 95, entitled "An act to amend chapter 559 of the Laws of 1893, entitled 'An act in relation to the militia, constituting chapter 16 of the general laws,' as amended by chapter 924 of the Laws of 1895, chapter 360 of the Laws of 1896, chapter 853 of the Laws of 1896" (Rec. No. 6), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 741) entitled "An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of constructing a steel girder bridge and abutments over Onondaga creek, in West Water street, in the city of Syracuse, and the approaches to said bridge on the west" (Int. No. 656) with a message that said bill was duly passed by the Senate, the President stating the question to be, "Shall this bill become a law, not having been returned by the mayor of the city of Syracuse within the time prescribed by the Constitution, a majority of all the Senators elected voting in favor thereof, and three-fifths being present."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 981) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof and supplemental thereto" (Int. No. 749), with a message that said bill was duly passed by the Senate, the President stating the question to be, "Shall this bill become a law, not having been returned by the mayor of the city of Syracuse within the time prescribed by the Constitution," a majority of all the Senators elected voting in favor thereof, three-fifths being present.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1830) entitled "An act to amend section 1012 of the Code of Civil Procedure, relating to the appointment of a referee" (Int. No. 154), with a message that

they have adopted the report of the committee of conference thereon.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 961, Senate reprint No. 1104) entitled "An act to encourage the development of art in the cities of the State." (Int. No. 826.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1276, Senate reprint No. 1877) entitled "An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations." (Int. No. 1031.)

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act making an appropriation for repairing and enlarging the State armory heretofore erected for the use of the Forty-seventh Regiment, National Guard of the State of New York." (No. 1493, Int. No. 930.)

"An act to provide for the construction of a lighthouse on Cayuga lake, at State pier, Cayuga harbor, in the county of Cayuga, and making an appropriation therefor." (No. 917, Int. No. 790.)

"An act to authorize Union School District No. 22 of the town of Onondaga to refund its bonded indebtedness." (No. 1700, Int. No. 1286.)

"An act making an appropriation additional to that made by chapter 570 of the Laws of 1897, for the construction of a foot bridge over the Champlain canal, in the town of Waterford, Saratoga county." (No. 1359, Int. No. 1080.)

"An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' by adding thereto a new title to be known as title 32." (No. 1807, Int. No. 1333.)

"An act for the relief of certain railroad corporations." (No. 1461, Int. No. 1127.)

"An act to amend the Town Law, in relation to the licensing of hawkers and peddlers." (No. 1054, Int. No. 885.)

"An act to amend sections 81 and 82 of chapter 418 of the

Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws.' " (No. 1498, Int. No. 927.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 443, Assembly reprint No. 1748) entitled "An act to amend chapter 682 of the Laws of 1897, entitled 'An act for licensing and regulating bonds of auctioneers in cities of 1,000,000 and over'" (Rec. No. 119), with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

"An act in relation to enrollment for political parties, primary elections, conventions and political committees." (No. 1819, Int. No. 1081.)

"An act to amend section 943 of the Code of Criminal Procedure, relating to the duties of county clerks, etc." (No. 1632, Int. No. 900.)

"An act to amend the Public Health Law, and the act amendatory thereof, in relation to the practice of dentistry." (No. 1784, Int. No. 1129.)

"An act providing for the erection of a State armory in the village of Whitehall, Washington county, the acquisition of a site therefor and making an appropriation for building said armory." (No. 256, Int. No. 254.)

"An act to amend the Town Law, in relation to the fees of magistrates and peace officers in connection with the arrest of tramps and vagrants." (No. 819, Int. No. 724.)

"An act in relation to the village of Chatham, in Columbia county." (No. 1791, Int. No. 1323.)

"An act to incorporate the Jansen-Kil Electric Power Company, of Hudson, Columbia county, New York." (No. 1527, Int. No. 955.)

"An act to amend section 640 of the Penal Code, to prevent the desecration, mutilation or improper use of the flag of the United States or of this State." (No. 54, Int. No. 54.)

"An act to amend the County Law, relating to the designation

of newspapers for publication of session laws." (No. 1567, Int. No. 1208.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John Moore against the State, for damages alleged to have been sustained by him, and to render judgment therefor." (No. 1752, Int. No. 1106.)

"An act in relation to the militia, constituting chapter 16 of the general laws." (No. 1787, Int. No. 953.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly made thereto:

"An act making an appropriation for building a bridge over the Erie canal at Erie street in the city of Buffalo." (No. 706, Assembly reprint No. 1729, Rec. No. 203.)

"An act to amend chapter 203 of the Laws of 1881, entitled 'An act to authorize the burial of the bodies of any honorably discharged soldier, sailor or marine, who shall hereafter die without leaving means sufficient to defray funeral expenses,' as amended by chapter 216 of the Laws of 1887; to provide for a headstone for any honorably discharged soldier, sailor or marine heretofore or hereafter buried in any of the counties of this State." (No. 250, Assembly reprint No. 1788, Rec. No. 53.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bill:

"An act to prevent the application of poison to fruit trees while in blossom." (No. 960, Senate reprint No. 96, Int. No. 551.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to authorize the city of Cohoes to borrow money by the issue of bonds for the improvement of the water works and extension of the water mains in said city." (No. 1812, Int. No. 1338.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Cohoes.

“An act to exempt certain property belonging to the city of Poughkeepsie from taxation.” (No. 1676, Int. No. 1244.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Poughkeepsie.

The Senate returned the following entitled bills:

“An act to amend chapter 670 of the Laws of 1892, relative to the city of Troy, as amended by chapter 575 of the Laws of 1893, and as farther amended by chapter 389 of the Laws of 1897, on the subject of public and local improvements in said city.” (No. 983, Senate reprint No. 1015, Int. No. 603.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Troy.

“An act to authorize the payment of claims for salaries of clerks temporarily employed in the department of collection of the late city of Brooklyn.” (No. 679, Senate reprint No. 1016, Int. No. 148.)

“An act to authorize the payment of claims of certain persons employed in the department of collection of the late city of Brooklyn.” (No. 680, Senate reprint No. 1018, Int. No. 149.)

“An act authorizing the dock board and park board of The City of New York to lease certain land and land under water for boat-house service.” (No. 1031, Senate reprint No. 1017, Int. No. 744.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of The City of New York.

A communication was received from Hon. George E. Warner, mayor of the city of Rochester, returning Assembly bill No. 187, entitled “An act to provide for the transfer to the treasurer of the city of Rochester of certain powers of the commissioners of sewerage for the Tenth, Fifteenth and Twentieth wards in the city of Rochester, and the town of Gates, Monroe county” (Int. No. 187), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James K. McGuire, mayor of the city of Syracuse, returning Assembly bill No. 1225, entitled "An act to authorize the city of Syracuse to levy a tax to provide means to defray the cost for the completion of a building for fire purposes in the Eleventh ward of the city of Syracuse, and for equipping the same" (Int. No. 762), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George E. Warner, mayor of the city of Rochester, returning Assembly bill No. 1151, entitled "An act to amend chapter 347 of the Laws of 1890, entitled 'An act to provide for the payment of the cost and expenses of the construction of a trunk sewer on the east side of the Genesee river, in the city of Rochester, by the issue of bonds of said city, and providing for the payment of said bonds by local assessment,' as amended by chapter 74 of the Laws of 1892" (Int. No. 663), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented the fifteenth annual report of the New York Civil Service Commission; which was laid upon the table and ordered printed.

(See Document.)

Also, the report of the New York Commission to the Negro Department of the Tennessee Centennial Exposition of 1897; which was laid upon the table and ordered printed.

(See Document.)

Mr. Armstrong gave notice that he requests the Senate bill (No. 1153) entitled "An act legalizing and confirming the election of trustees of the Christian Brothers' School Society of Rochester, New York, and authorizing such society to convey its property to the Saint Patrick's Church Society of such city" (Rec. No. 407), be referred to the committee on rules, to be made a special order.

Mr. Armstrong gave notice that he requests the bill (No. 1876) entitled "An act to legalize, ratify and confirm the election of

certain persons as supervisors in the county of Monroe " (Int. No. 1370), be referred to the committee on rules, to be made a special order.

Mr. Eldridge gave notice that he requests the bill (No. 1863) entitled " An act to amend the Railroad Law, and the acts amendatory thereof, in relation to motive power " (Int. No. 1365), be referred to the committee on rules, to be made a special order.

Mr. Costello gave notice that he requests the bill (No. 1838) entitled " An act to amend the Fisheries, Game and Forest Law, relating to the transportation of certain fish and game from the counties of Oswego and Lewis " (Int. No. 696), be referred to the committee on rules, to be made a special order.

Mr. Kullman gave notice that he requests the bill (No. 1822) entitled " An act to amend chapter 541 of the Laws of 1897 " (Int. No. 1346), be referred to the committee on rules, to be made a special order.

Mr. Mason gave notice that he requests the bill (No. 82) entitled " An act making an appropriation for the purpose of repairing and improving the State road, leading from North lake, in the town of Wilmurt, Herkimer county, to the east line of Oneida county " (Int. No. 82), be referred to the committee on rules, to be made a special order.

Mr. Phillips gave notice that he requests the bill (No. 317) entitled " An act to amend chapter 378 of the Laws of 1897, entitled ' An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof, ' relative to appeals from municipal court ' " (Int. No. 312), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests the bill (No. 1871) entitled " An act to enable the city of Albany to pay sundry debts for printing and advertising " (Int. No. 987), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests the bill (No. 1106) en-

titled "An act to enable the city of Albany to acquire title to land for the purpose of a public park, to be known as Riverside park" (Int. No. 921), be referred to the committee on rules, to be made a special order.

Mr. Vroman gave notice that he requests the Senate bill (No. 1146) entitled "An act to provide for the removal of the remains of Colonel Christopher Greene and Major Ebenezer Flagg, and the erection of a monument to their memory" (Rec. No. 384), be referred to the committee on rules, to be made a special order.

Mr. Axtell gave notice that he requests the Senate bill (No. 1103) entitled "An act conferring upon the Board of Claims jurisdiction to hear, audit and determine the alleged claims of Thomas A. Pine and others for materials furnished and work performed in connection with the State armory and drill-room at Walton, New York" (Rec. No. 385), be referred to the committee on rules, to be made a special order.

Mr. Kavanaugh gave notice that he requests the Senate bill (No. 1090) entitled "An act to amend section 6 of chapter 55 of the Laws of 1879, entitled 'An act to provide for the election of a police justice in the town of Waterford, county of Saratoga'" (Rec. No. 367), be referred to the committee on rules, to be made a special order.

Mr. Kavanaugh gave notice that he requests the Senate bill (No. 519) entitled "An act to amend the County Law, in relation to the number of coroners in the counties of the State" (Rec. No. 112), be referred to the committee on rules, to be made a special order.

Mr. Donnelly gave notice that he requests the Senate bill (No. 405) entitled "An act to amend section 937 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the collection of unpaid taxes and assessments levied prior to January 1st, 1898" (Rec. No. 369), be referred to the committee on rules, to be made a special order.

Mr. Adler gave notice that he requests the Senate bill (No. 1022) entitled "An act to amend section 3379 of the Code of Civil Procedure, relative to possession on security or deposit in proceeding for the condemnation of real property, by adding thereto a provision as to costs" (Rec. No. 366), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests the Senate bill (No. 961) entitled "An act to amend the Stock Corporation Law, in relation to the alteration or extension of business" (Rec. No. 360) be referred to the committee on rules, to be made a special order.

Mr. Adler gave notice that he requests the Senate bill (No. 230) entitled "An act for the regulation of pharmacists and druggists, and to prevent accidents and mistakes in the preparing and compounding of medical prescriptions in The City of New York" (Rec. No. 183), be referred to the committee on rules, to be made a special order.

Mr. Kavanaugh gave notice that he requests the Senate bill (No. 616) entitled "An act to amend sections 773, 774, 777, 780 and 781 of the Code of Criminal Procedure, relating to coroners and abolishing coroners' juries" (Rec. No. 134) be referred to the committee on rules, to be made a special order.

Mr. Hill gave notice that he requests the Senate bill (No. 1098) entitled "An act to amend section 3 of chapter 231 of the Laws of 1876, entitled 'An act to make the office of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and compensation of other officers of said board, as amended by chapter 195 of the Laws of 1879, as further amended by chapter 485 of the Laws of 1892, in relation to the officers of the board of supervisors" (Rec. No. 370), be referred to the committee on rules, to be made a special order.

Mr. Ives gave notice that he requests the Senate bill (No. 1096) entitled "An act conferring jurisdiction upon the Comptroller of the State to hear and determine the application of Charles D. Shaw, executor of the estate of Abijah B. Shaw, for the cancellation of the tax sale for unpaid taxes of all that tract or parcel of land situate in the northeast quarter of the township of Sherwood, Saint Lawrence county, known as Joe's Point, otherwise

Joe Indian Island, in Cranberry lake " (Rec. No. 373) be referred to the committee on rules, to be made a special order.

Mr. Davis gave notice that he requests the Senate bill (No. 1058) entitled " An act to further amend section 1 of chapter 119 of the Laws of 1888, entitled ' An act relating to employes of the various cities and counties of the State " (Rec. No. 365), be referred to the committee on rules, to be made a special order.

Mr. Russell gave notice that he requests the Senate bill (No. 889) entitled " An act to regulate the use of certain slips, piers, and wharves on the East river, in The City of New York " (Rec. No. 255), be referred to the committee on rules, to be made a special order.

Mr. Kavanaugh gave notice that he requests the Senate bill (No. 1091) entitled " An act to license and regulate the business of private detectives and detective agencies " (Rec. No. 400), be referred to the committee on rules, to be made a special order.

Mr. Sullivan gave notice that he requests the Senate bill (No. 1142) entitled " An act in relation to the keeper of the hall of records in the county of Kings " (Rec. No. 393), to be referred to the committee on rules, to be made a special order.

Mr. Wallace gave notice that he requests the Senate bill (No. 1108) entitled " An act to amend the Fisheries, Game and Forest Law, in relation to wild Mongolian ring-necked pheasants " (Rec. No. 387), be referred to the committee on rules, to be made a special order.

Mr. Pickett gave notice that he requests the Senate bill (No. 547) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to woodcock in the counties of Clinton, Essex and Warren " (Rec. No. 98), be referred to the committee on rules, to be made a special order.

Mr. Lowenthal gave notice that he requests the Senate bill (No. 586) entitled " An act to amend section 25 of chapter 601 of the Laws of 1895, entitled ' An act in relation to the inferior courts of criminal jurisdiction in the city and county of New York ' " (Rec. No. 173), be referred to the committee on rules, to be made a special order.

Mr. Kavanaugh gave notice that he requests the Senate bill (No.

1083) entitled "An act authorizing the city of Schenectady to issue bonds to the amount of \$15,000, to raise money for school purposes" (Rec. No. 322), be referred to the committee on rules, to be made a special order.

Mr. Laimbeer gave notice that he requests the Senate bill (No. 818) entitled "An act to amend section 3370 of the Code of Civil Procedure, relating to proceedings of commissioners in proceedings for the condemnation of real property" (Rec. No. 230), be referred to the committee on rules, to be made a special order.

Mr. McEwan gave notice that he requests the Senate bill (No. 1094) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Hall against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Rec. No. 374), be referred to the committee on rules, to be made a special order.

Mr. Laimbeer gave notice that he requests the Senate bill (No. 599) entitled "An act to provide for the establishment by The City of New York of a farm colony for the detention, reformation and instruction of men convicted of vagrancy or habitual drunkenness" (Rec. No. 131), be referred to the committee on rules, to be made a special order.

Mr. Mason gave notice that he requests the Senate bill (No. 1129) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the Sherry Cottage Company, the Metropolitan Rubber Company and the American Axe and Tool Company against the State for taxes alleged to have been erroneously paid to the Comptroller" (Rec. No. 381), be referred to the committee on rules, to be made a special order.

Mr. Marshall gave notice that he requests the Senate bill (No. 403) entitled "An act to amend sections 2 and 3 of chapter 312 of the Laws of 1896, entitled 'An act to regulate the profession of public accountants'" (Rec. No. 87), be referred to the committee on rules, to be made a special order.

Mr. Mason gave notice that he requests the Senate bill (No. 1133) entitled "An act providing for the construction of a lift or hoist bridge over the Erie canal, on Washington street, in the

city of Utica, and making an appropriation therefor, and authorizing the city of Utica to raise money for the construction thereof" (Rec. No. 390), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests the Senate bill (No. 1121) entitled "An act to amend section 22 of title 5 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (Rec. No. 380), be referred to the committee on rules, to be made a special order.

Mr. Mason gave notice that he requests the Senate bill (No. 608) entitled "An act to amend the Election Law, relating to the division and alteration of election districts" (Rec. No. 389), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests the Senate bill (No. 1123) entitled "An act to authorize and require the town of Cortlandt, in the county of Westchester, to pay to the village of Croton-on-the-Hudson the highway tax to be collected from property within the corporate limits of said village" (Rec. No. 379), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests the Senate bill (No. 1107) entitled "An act authorizing the board of police of the city of Yonkers to borrow money for the purpose of defraying the necessary expenses of the said board of police and police force" (Rec. No. 378), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests the Senate bill (No. 1088) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers'" (Rec. No. 368), be referred to the committee on rules, to be made a special order.

Mr. Trainor gave notice that he requests the Senate bill (No. 839) entitled "An act to amend chapter 266 of the Laws of 1884, entitled 'An act in relation to the salaries of stenographers of the city court of New York'" (Rec. No. 406), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests the Senate bill (No. 37, Assembly reprint 1864) entitled "An act in relation to the estate of insolvent debtors" (Rec. No. 314), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests the Senate bill (No. 433) entitled "An act to amend section 92 of chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporation'" (Rec. No. 124), be referred to the committee on rules, to be made a special order.

Mr. Hill gave notice that he requests the bill (No. 1854) entitled "An act to incorporate the Niagara River Tramway Company" (Int. No. 386), be referred to the committee on rules, to be made a special order.

Mr. Palmer gave notice that he requests the Senate bill (No. 1872) entitled "An act to amend chapter 1027 of the Laws of 1895 entitled 'An act in relation to the issue of mileage books by railroad corporations'" (Rec. No. 946), be referred to the committee on rules, to be made a special order.

Mr. Hill gave notice that he requests the bill (No. 1874) entitled "An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo, and making an appropriation therefor" (Int. No. 419), be referred to the committee on rules, to be made a special order.

Mr Perkins gave notice that he requests the Senate bill (No. 577) entitled "An act to authorize and direct the comptroller of this State to hear and determine the application of Morris Goldstein for the redemption of lot 48 and the east part of lot 47 of the Nash tract, on the south side of Nassau street, in the city of Rochester, Monroe county, New York, from the sale thereof by the comptroller, in the year 1890, for unpaid taxes" (Rec No. 315), be referred to the committee on rules, to be made a special order.

Mr. Kelly gave notice that he requests the Senate bill (No. 1095) entitled "An act to enable the city of Albany to pay sundry debts" (Rec. No. 375), be referred to the committee on rules, to be made a special order.

Mr. McEwan gave notice that he requests the Senate bill (No.

1131) entitled "An act to amend section 62 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws'" (Rec. No. 397), be referred to the committee on rules, to be made a special order.

Mr. C. J. Clark gave notice that he requests the Senate bill (No. 987) entitled "An act to amend section 11 of chapter 533 of the Laws of 1880, entitled 'An act to regulate the passage of lumber, logs and other timber upon the rivers of this State recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture'" (Rec. No. 297), be referred to the committee on rules, to be made a special order.

Mr. Donnelly gave notice that he requests the Senate bill (No. 983) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to fish in Lake Ontario and other waters" (Rec. No. 303), be referred to the committee on rules, to be made a special order.

Mr. Hill gave notice that he requests the Senate bill (No. 955) entitled "An act to release to Lucy Priest, widow of Charles N. Priest, and to Lucy Priest, widow of Colville G. Priest, all the right, title and interest of the people of the State of New York in and to certain real estate" (Rec. No. 342), be referred to the committee on rules, to be made a special order.

Mr. McKeown gave notice that he requests the Senate bill (No. 600) entitled "An act in relation to proceedings for the opening of streets and avenues and closing old roads or highways in the late city of Brooklyn commenced prior to its annexation with The City of New York, and to provide for the completion of the same" (Rec. No. 411), be referred to the committee on rules, to be made a special order.

Mr. Bondy gave notice that he requests the Senate bill (No. 1101) entitled "An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of constructing a bridge over the Erie canal at Bridge street in the city of Syracuse" (Rec. No. 388), be referred to the committee on rules, to be made a special order.

Mr. Schulum gave notice that he requests the bill (No. 1793) entitled "An act to amend the Transportation Corporations Law, and the act amendatory thereof, relative to gates, rates of toll and exemption " (Int. No. 853), be referred to the committee on rules, to be made a special order.

Mr. Trainor gave notice that he requests the Senate bill (No. 973) entitled "An act to authorize the board of estimate and apportionment of The City of New York to hear, examine and audit the claim of Louis W. Briggs for work, labor and service performed and materials furnished for work done on grammar school No. 85 in The City of New York " (Rec. No. 357), be referred to the committee on rules, to be made a special order.

Mr. Brown gave notice that he requests the Senate bill (No. 864) entitled "An act to release to James Cassaday all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Deerpark, county of Orange and State of New York " (Rec. No. 284), be referred to the committee on rules, to be made a special order.

Mr. Graney gave notice that he requests the Senate bill (No. 1107) entitled "An act authorizing the board of police of the city of Yonkers to borrow money for the purpose of defraying the necessary expenses of the said board of police and police force " (Rec. No. 397), be referred to the committee on rules, to be made a special order.

Mr. McEwan gave notice that he requests the Senate bill (No. 865) entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' and the several acts amendatory thereof " (Rec. No. 412), be referred to the committee on rules, to be made a special order.

Mr. Sanford gave notice that he requests the bill (No. 1879) entitled "An act authorizing the city of Mount Vernon to issue street improvement bonds " (Int. No. 1371), be referred to the committee on rules, to be made a special order.

On motion of Mr. Nixon, the House adjourned to meet tomorrow at 10 o'clock.

WEDNESDAY, MARCH 30, 1898.

The House met pursuant to adjournment.

Prayer by Rev. D. P. Brown.

On motion of Mr. Haight, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

“An act to amend section 62 of the Laws of 1892, entitled ‘An act in relation to counties, constituting chapter 18 of the general laws’ ” (No. 1131, Rec. No. 397), which was read the first time and referred to the committee on general laws.

“An act to license and regulate the business of private detectives and detective agencies ” (No. 1091, Rec. No. 400), which was read the first time and referred to the committee on the judiciary.

“An act to authorize the village of Newport to change its boundaries ” (No. 1152, Rec. No. 401), which was read the first time and referred to the committee on affairs of villages.

“An act to amend chapter 266 of the Laws of 1884, entitled ‘An act in relation to the salaries of stenographers of the City Court of New York ’ ” (No. 839, Rec. No. 406), which was read the first time and referred to the committee on affairs of cities.

“An act legalizing and confirming the election of trustees of the Christian Brothers’ School Society of Rochester, New York, and authorizing such society to convey its property to the St. Patrick’s Church Society of such city ” (No. 1153, Rec. No. 407), which was read the first time and referred to the committee on affairs of cities.

“An act in relation to proceedings for the opening of streets and avenues and closing old roads or highways in the late city of Brooklyn commenced prior to its annexation with the city of New York, and to provide for the completion of the same ” (No. 600, Rec. No. 411), which was read the first time and referred to the committee on affairs of cities.

“An act to amend chapter 298 of the Laws of 1883, entitled ‘An act to provide for the government of the city of Albany,’ and the several acts amendatory thereof ” (No. 865, Rec. No. 412), which was read the first time and referred to the committee on affairs of cities.

“An act to amend section 24 of ‘The Stock Corporation Law’ ” (No. 907, Rec. No. 417), which was read the first time and referred to the committee on general laws.

Mr. Speaker, from the committee on rules, to which were referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third readings immediately.

Senate, “An act legalizing and confirming the election of trustees of the Christian Brothers’ School Society of Rochester, New York, and authorizing such society to convey its property to the St. Patrick’s Church Society of such city.” (No. 1153, Rec. No. 407.)

“An act to legalize, ratify and confirm the election of certain persons as supervisors in the county of Monroe.” (No. 1876, Int. No. 1370.)

“An act to amend the Railroad Law and the acts amendatory thereof, in relation to motive power.” (No. 1863, Int. No. 1365.)

“An act to amend the Fisheries, Game and Forest Law, relating to the transportation of certain fish and game from the counties of Oswego and Lewis.” (No. 1838, Int. No. 696.)

“An act to amend chapter 541 of the Laws of 1897.” (No. 1822, Int. No. 1346.)

“An act making an appropriation for the purpose of repairing and improving the State road leading from North lake, in the town of Wilmurt, Herkimer county, to the east line of Oneida county.” (No. 82, Int. No. 82.)

“An act to amend chapter 378 of the Laws of 1897, entitled ‘An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,’ relative to appeals from municipal court.” (No. 317, Int. No. 312.)

“An act to enable the city of Albany to pay sundry debts for printing and advertising.” (No. 1871, Int. No. 987.)

“An act to enable the city of Albany to acquire title to land for the purpose of a public park to be known as Riverside park.” (No. 1106, Int. No. 921.)

Senate, "An act to provide for the removal of the remains of Colonel Christopher Greene and Major Ebenezer Flagg, and the erection of a monument to their memory." (No. 1146, Rec. No. 384.)

Senate, "An act conferring upon the Board of Claims jurisdiction to hear, audit and determine the alleged claims of Thomas A. Pine and others for materials furnished and work performed in connection with the State armory and drill room at Walton, New York." (No. 1103, Rec. No. 385.)

Senate, "An act to amend section 6 of chapter 55 of the Laws of 1879, entitled 'An act to provide for the election of a police justice in the town of Waterford, county of Saratoga.'" (No. 1090, Rec. No. 367.)

Senate, "An act to amend the County Law, in relation to the number of coroners in the counties of the State." (No. 519, Rec. No. 112.)

Senate, "An act to amend section 937 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' in relation to the collection of unpaid taxes and assessments levied prior to January 1, 1898." (No. 405, Rec. No. 369.)

Senate, "An act to amend section 3379 of the Code of Civil Procedure, relative to possession on security or deposit in proceeding for the condemnation of real property, by adding thereto a provision as to costs." (No. 1022, Rec. 366.)

Senate, "An act to amend the Stock Corporation Law, in relation to the alteration or extension of business." (No. 961, Rec. No. 360.)

Senate, "An act for the regulation of pharmacists and druggists and to prevent accidents and mistakes in the preparing and compounding of medical prescriptions in The City of New York." (No. 230, Rec. No. 183.)

Senate, "An act to amend sections 773, 774, 777, 780 and 781 of the Code of Criminal Procedure, relating to coroners and abolishing coroners' juries." (No. 616, Rec. No. 134.)

Senate, "An act to amend section 3 of chapter 231 of the Laws of 1876, entitled 'An act to make the office of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and compensation of other officers of said board,' as amended by chapter 195 of the Laws of 1879, as further amended by chapter 485 of the Laws of 1892, in relation to the officers of the board of supervisors." (No. 1098, Rec. No. 370.)

Senate, "An act conferring jurisdiction upon the Comptroller of the State to hear and determine the application of Charles D. Shaw, executor of the estate of Abijah B. Shaw, for the cancellation of the tax sale for unpaid taxes of all that tract or parcel of land situate in the northeast quarter of the township of Sherwood, St. Lawrence county, known as Joe's Point, otherwise Joe Indian Island, in Cranberry lake." (No. 1096, Rec. No. 373.)

Senate, "An act to further amend section 1 of chapter 119 of the Laws of 1888, entitled 'An act relating to employes of the various cities and counties of the State.'" (No. 1058, Rec. No. 365.)

Senate, "An act to regulate the use of certain slips, piers and wharves on the East river, in The City of New York." (No. 889, Rec. No. 255.)

Senate, "An act to license and regulate the business of private detectives and detective agencies." (No. 1091, Rec. No. 400.)

Senate, "An act in relation to the keeper of the hall of records in the county of Kings." (No. 1142, Rec. No. 393.)

Senate, "An act to amend the Fisheries, Game and Forest Law, in relation to wild Mongolian ring-necked pheasants." (No. 1108, Rec. No. 387.)

Senate, "An act to amend the Fisheries, Game and Forest Law, in relation to woodcock in the counties of Clinton, Essex and Warren." (No. 547, Rec. No. 98.)

Senate, "An act to amend section 25 of chapter 601 of the Laws of 1895, entitled 'An act in relation to the inferior courts of criminal jurisdiction in the city and county of New York.'" (No. 586, Rec. No. 173.)

Senate, "An act authorizing the city of Schenectady to issue bonds to the amount of \$15,000, to raise money for school purposes." (No. 1083, Rec. No. 322.)

Senate, "An act to amend section 3370 of the Code of Civil Procedure, relating to proceedings of commissioners in proceedings for the condemnation of real property." (No. 818, Rec. No. 230.)

Senate, "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Hall against the State for damages alleged to have been sustained by him, and to render judgment therefor." (No. 1094, Rec. No. 374.)

Senate, "An act to provide for the establishment by The City of New York of a farm colony for the detention, reformation and instruction of men convicted of vagrancy or habitual drunkenness." (No. 599, Rec. No. 131.)

Senate, "An act to amend section 1403 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to the qualifications of justices of the Court of Special Sessions and city magistrates." (No. 882, Rec. No. 258.)

Senate, "An act to prevent fraudulent representation in labor organizations." (No. 1106, Rec. No. 382.)

Senate, "An act to carry into effect the provisions of chapter 754 of the Laws of 1897, entitled 'An act to amend the Railroad Law and the acts amendatory thereof, relative to grade crossings,' and making an appropriation therefor." (No. 404, Rec. No. 62.)

Senate, "An act to authorize the village of Newport to change its boundaries." (No. 1152, Rec. No. 401.)

Senate, "An act further to provide for the office of inspector of construction, alteration and repairs of public buildings in the county of Kings, and to define certain powers and duties." (No. 546, Rec. No. 376.)

Senate, "An act to confer jurisdiction upon the Court of Claims

to hear, audit and determine the alleged claims of the Sherry Cottage Company, the Metropolitan Rubber Company and the American Axe and Tool Company against the State for taxes alleged to have been erroneously paid to the comptroller." (No. 1129, Rec. No. 381.)

Senate, "An act to amend sections 2 and 3 of chapter 312 of the Laws of 1896, entitled 'An act to regulate the profession of public accountants.'" (No. 403, Rec. No. 87.)

Senate, "An act providing for the construction of a lift or hoist bridge over the Erie canal, on Washington street, in the city of Utica, and making an appropriation therefor, and authorizing the city of Utica to raise money for the construction thereof." (No. 1133, Rec. No. 390.)

Senate, "An act to amend section 22 of title 5 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester.'" (No. 1121, Rec. No. 380.)

Senate, "An act to amend the Election Law, relating to the division and alteration of election districts." (No. 608, Rec. No. 389.)

Senate, "An act to authorize and require the town of Cortlandt, in the county of Westchester, to pay to the village of Croton-on-the-Hudson the highway tax to be collected from property within the corporate limits of said village." (No. 1123, Rec. No. 379.)

Senate, "An act authorizing the board of police of the city of Yonkers to borrow money for the purpose of defraying the necessary expenses of the said board of police and police force." (No. 1107, Rec. No. 378.)

Senate, "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers.'" (No. 1088, Rec. No. 368.)

Senate, "An act to amend chapter 266 of the Laws of 1884, entitled 'An act in relation to the salaries of stenographers of the City Court of New York.'" (No. 839, Rec. No. 406.)

Senate, "An act in relation to the estate of insolvent debtors." (No. 37, Assembly reprint No. 1864, Rec. No. 314.)

Senate, "An act to amend section 92 of chapter 690 of the Laws

of 1892, entitled 'An act in relation to insurance corporations.' ” (No. 433, Rec. No. 124.)

“An act to incorporate the Niagara River Tramway Company.” (No. 1854, Int. No. 386.)

“An act to amend chapter 1027 of the Laws of 1895, entitled ‘An act in relation to the issue of mileage books by railroad corporations.’ ” (No. 1872, Int. No. 946.)

“An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo, and making an appropriation therefor.” (No. 1874, Int. No. 419.)

Senate, “An act to authorize and direct the Comptroller of this State to hear and determine the application of Morris Goldstein for the redemption of lot 48 and the east part of lot 47 of the Nash tract, on the south side of Nassau street, in the city of Rochester, Monroe county, New York, from the sale thereof by the Comptroller, in the year 1890, for unpaid taxes.” (No. 577, Rec. No. 315.)

Senate, “An act to enable the city of Albany to pay sundry debts.” (No. 1095, Rec. No. 375.)

Senate, “An act to amend section 62 of the Laws of 1892, entitled ‘An act in relation to counties, constituting chapter 18 of the general laws.’ ” (No. 1131, Rec. No. 397.)

Senate, “An act to amend section 11 of chapter 533 of the Laws of 1880, entitled ‘An act to regulate the passage of lumber, logs and other timber upon the rivers of this State recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture.’ ” (No. 987, Rec. No. 297.)

Senate, “An act to amend the Fisheries, Game and Forest Law, in relation to fish in Lake Ontario and other waters.” (No. 983, Rec. No. 303.)

Senate, “An act to release to Lucy Priest, widow of Charles N. Priest, and to Lucy Priest, widow of Colville G. Priest, all the

right, title and interest of the people of the State of New York in and to certain real estate." (No. 955, Rec. No. 342.)

Senate, "An act in relation to proceedings for the opening of streets and avenues and closing old roads or highways in the late city of Brooklyn commenced prior to its annexation with the city of New York, and to provide for the completion of the same." (No. 600, Rec. No. 411.)

"An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of constructing a bridge over the Erie canal at Bridge street in the city of Syracuse." (No. 1101, Int. No. 388.)

"An act to amend the Transportation Corporations Law, and the act amendatory thereof, relative to gates, rates of toll and exemption." (No. 1793, Int. 853.)

Senate, "An act to authorize the board of estimate and apportionment of The City of New York to hear, examine and audit the claim of Louis W. Briggs for work, labor and service performed and materials furnished for work done on grammar school No. 85 in The City of New York." (No. 973, Rec. No. 357.)

Senate, "An act to release to James Cassaday all the right, title and interest of the people of the State of New York of, in and to certain real estate in th town of Deerpark, county of Orange and State of New York." (No. 864, Rec. No. 284.)

Senate, "An act authorizing the board of police of the city of Yonkers to borrow money for the purpose of defraying the necessary expenses of the said board of police and police force." (No. 1107, Rec. No. 397.)

Senate, "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany,' and the several acts amendatory thereof." (No. 865, Rec. No. 412.)

"An act authorizing the city of Mount Vernon to issue street improvement bonds." (No. 1879, Int. No. 1371.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately.

Mr. McLaughlin, from the committee on privileges and elections, presented the following report:

To the Assembly of the State of New York:

The committee on privileges and elections, to which was referred the contest made by John E. Thorn, claiming and contesting the seat held by Hon. Samuel L. Hubbard, as member of Assembly of the Tenth Assembly district of Kings county, respectfully report that said John E. Thorn voluntarily withdrew his contest for said seat and declined to prosecute the same before your committee. Your committee therefore recommends the adoption of the following resolution:

Resolved, That Hon. Samuel L. Hubbard is entitled to his seat as member of Assembly from the Tenth district of the county of Kings.

All of which is respectfully submitted.

GEO McLAUGHLIN,
Chairman.

IRA C. MILES,
CHAS. S. ADLER,
GEORGE TIFFANY,
G. A. STONEMAN,
L. M. COWLES,
P. F. TRAINOR,
JOSEPH A. GUIDER,
J. W. I. GREEN.

Which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hachemeis'r	McEwan	Schmid A F
Addis	Delaney	Haight	McGuire	Schulum
Adler	Dillon	Hanna	McKeown	Seligsberg
Allds	Donnelly	Harburger	Meyer G W	Shoeneck
Armstrong	Dutton	Hatch	Miles	Simmons
Axtell	Egan	Hays	Miller	Sinsheimer
Baker	Eldridge	Hill	Mullany	Smith F La G
Boland	Ellis	Hoes	Murphy	Stedman
Bondy	Evarts	Hoffman	Myers J C	Stoneman
Brennen J F	Farrell	Holbert	Nixon	Streifer
Brewster	Finn	Hutton	O'Connor	Sullivan

Brown	Fish	Ives	Oliver	Taylor
Burr	Fitzgerald	Johnson	Palmer	Ten Eyck
Cain	Fordyce	Kavanaugh	Paris	Tiffany
Chanler	Fritz	Kelly	Patton	Tompkins
Clark A L	Fuller	Kelsey	Perkins	Trainor
Clark C J	Gale	Kullman	Peterson	Tripp
Collins	Gallagher	Lainbeer	Phillips	Van Hoesen
Costello	Gibney	Litchard	Pickett	Vincent
Cottle	Glaser	Lowenthal	Pierce	Vroman
Coughtry	Goodsell	Mahar	Raplee	Weekes
Cowles	Graney	Maloney	Redington	Weill
Crabtree	Green	Marshall	Reisert	Wicke
Cross	Greenwood	Martin	Roche	Witter
Cullen	Griggs	Mason	Sage	Wright
Dale	Guider	Matteson	Sanford	Zimmerman
Davis				

Mr. McLaughlin, from the committee on privileges and elections, presented the following report:

To the Assembly of the State of New York:

The committee on privileges and elections, to which was referred the contest made by Thomas J. Hayden, claiming and contesting the seat held by Hon. Mark J. Lowenthal, as member of Assembly from the Twenty-third Assembly district of the county of New York, have had in consideration the subject-matter of said contest, and after several hearings had thereon and the taking of a large volume of testimony relative thereto, finds no sufficient evidence to warrant the committee in recommending the unseating of the Hon. Mark J. Lowenthal as member of Assembly from the said district. The committee therefore recommends the adoption of the following resolution:

Resolved, That Mark J. Lowenthal is entitled to his seat as member of Assembly from the Twenty-third district of the county of New York.

All of which is respectfully submitted.

GEO McLAUGHLIN,
Chairman.

IRA C. MILES,
CHAS. S. ADLER,
GEORGE TIFFANY,
G. A. STONEMAN,
L. M. COWLES,
P. F. TRAINOR,
JOSEPH A. GUIDER,
J. W. I. GREEN.

Which report was agreed to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 119 }
 { NOES 00 {

Those who voted in the affirmative, were

Ackert	Delaney	Harburger	Mohring	Sears
Addis	Dillon	Hatch	Mullany	Shoeneck
Adler	Donnelly	Hill	Murphy	Sinsheimer
Allds	Dutton	Hoes	Murray	Sloan
Armstrong	Egan	Holbert	Myers J C	Stedman
Axtell	Eldridge	Hubbard	O'Connor	Stoneman
Baker	Ellis	Ives	Oliver	Striefler
Boland	Evarts	Kavanaugh	Palmer	Sullivan
Bondy	Farrell	Kelly	Paris	Taylor
Brennan E C	Finn	Kullman	Perkins	Ten Eyck
Brennen J F	Fish	Laimbeer	Peterson	Tompkins
Brewster	Fitzgerald	Litchard	Phillips	Trainor
Burr	Fordyce	Mahar	Pickett	Tremper
Cain	Fuller	Maloney	Pierce	Van Hoesen
Clark A L	Gale	Marshall	Raplee	Van Rens'aer
Clark C J	Gallagher	Martin	Redington	Vincent
Collins	Glaser	Matteson	Reisert	Wallace
Costello	Goodsell	McEwan	Roche	Weekes
Coughtry	Green	McGuire	Russell	Weill
Cowles	Greenwood	McKeown	Sage	Whipple
Cross	Griggs	Meyer G W	Sanford	Wicke
Cullen	Guider	Miles	Schmid F	Witter
Dale	Hachemeis'r	Miller	Schultz	Zimmerman
DeGraw	Haight	Mitchell	Schulum	

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the Civil Service of the State of New York' " (No. 1130, Rec. No. 394), which was read the first time and referred to the committee on the judiciary.

"An act to amend subdivision 1 of section 2722 of the Code of Civil Procedure, relating to claim for funeral expenses" (No. 1042, Rec. No. 395), which was read the first time and referred to the committee on codes.

“An act providing for retiring and pensioning George W. Keating, a policeman of the city of Utica” (No. 39, Rec. No. 396), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Real Property Law, being chapter 547 of the Laws of 1896, relating to forms of conveyances” (No. 871, Rec. No. 398), which was read the first time and referred to the committee on the judiciary.

“An act in relation to the administration of justice, constituting chapter 52 of the general laws” (No. 1102, Rec. No. 399), which was read the first time and referred to the committee on the judiciary.

“An act making an appropriation for erecting a monument at the outlet of Otsego lake” (No. 210, Rec. No. 402), which was read the first time and referred to the committee on ways and means.

“An act relating to the sale of lost property found in surface railroad cars and the disposition of the proceeds thereof” (No. 1085, Rec. No. 403), which was read the first time and referred to the committee on railroads.

“An act to confer upon corporations incorporated under the general law known as chapter 40 of the Laws of 1848, entitled ‘An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,’ and the amendments thereto, now authorized by law to use, sell, furnish or supply water or hydraulic power for manufacturing or other purposes, the right to use, transmit, sell, furnish or supply such power for the generation of electricity, and to sell, transmit, furnish or supply electricity for power or other purposes in such manner as is now authorized by law” (No. 1012, Rec. No. 404), which was read the first time and referred to the committee on electricity, gas and water supply.

“An act making an appropriation for the Eastern New York Reformatory, for the payment for work already performed and for continuing the erection of buildings, purchase of materials, compensation of architect and engineers, incidental expenses

of commissioners, etc." (No. 488, Rec. No. 405), which was read the first time and referred to the committee on ways and means.

"An act to provide for the construction of a movable bridge over Black Rock harbor at Ferry street in the city of Buffalo, and making an appropriation therefor" (No. 1140, Rec. No. 408), which was read the first time and referred to the committee on ways and means.

"An act to amend sections 150 and 151 of chapter 908 of the Laws of 1896, entitled the 'Tax Law,' in relation to tax sales" (No. 739, Rec. No. 410), which was read the first time and referred to the committee on taxation and retrenchment.

"An act in relation to money corporations" (No. 585, Rec. No. 413), which was read the first time and referred to the committee on banks.

"An act to close and strike from the town survey map of Kings county all that portion of Sherman street lying between Vanderbilt avenue and Adams street, as the same is laid down on said map" (No. 734, Rec. No. 414), which was read the first time and referred to the committee on cities.

"An act in relation to the construction of an outlet sewer and appurtenances in Farragut street, from the East river to Hunt's Point road, and in Hunt's Point road from Farragut street to Whittier street, and in Whittier street from Hunt's Point road to Whitlock avenue, and in Whitlock avenue from Whittier street to Westchester avenue, and in Westchester avenue from Whitlock avenue to Edgewater road, and in Edgewater road from Westchester avenue to Jennings street, in The City of New York" (No. 439, Rec. No. 415), which was read the first time and referred to the committee on claims.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Hugh Ramsay against the State for balance alleged to be due him from the State, and to render judgment therefor" (No. 1068, Rec. No. 416), which was read the first time and referred to the committee on claims.

"An act to adjust claims in the several counties of the State"

(No. 1154, Rec. No. 418), which was read the first time and referred to the committee on claims.

“An act to amend the Lien Law, in relation to sales of personal property to satisfy liens” (No. 759, Rec. No. 419), which was read the first time and referred to the committee on the judiciary.

“An act to incorporate the Security Assurance Company” (No. 1127, Rec. No. 420), which was read the first time and referred to the committee on the judiciary.

“An act to regulate the laying and using of street surface railroad tracks upon Amsterdam avenue, in The City of New York, for the greater safety of the lives and limbs of the citizens of said city” (No. 1163, Rec. No. 421), which was read the first time and referred to the committee on railroads.

“An act to provide for the payment of expenses of Edward J. H. Tamsen, which he incurred in the defense of the prosecution brought against him by indictment, and authorizing the board of estimate and apportionment of The City of New York to audit and allow the amount that may be justly due” (No. 1043, Rec. No. 422), which was read the first time and referred to the committee on ways and means.

“An act for the relief of officers who have served as chief engineers of the uniformed force of fire department of the city of New York” (No. 760, Int. No. 423), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker announced the special order, being the Senate bill (No. 1153), entitled “An act legalizing and confirming the election of trustees of the Christian Brothers’ School Society of Rochester, New York, and authorizing such society to convey its property of the Saint Patrick’s Church Society of such city.” (Rec. No. 407.)

On motion of Mr. Harrison, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hatch	Mohring	Sears
Addis	Donnelly	Hill	Mullany	Seligsberg
Adler	Dutton	Hoes	Murray	Simmons
Allds	Egan	Hoffman	Myers J C	Sinsheimer
Armstrong	Eldridge	Holbert	O'Connor	Sloan
Axtell	Evarts	Hutton	Oliver	Stedman
Baker	Farrell	Ives	Palmer	Stoneman
Boland	Finn	Kavanaugh	Paris	Strifler
Bondy	Fish	Kelly	Patton	Sullivan
Brennan E C	Fordyce	Kullman	Perkins	Ten Eyck
Brennen J F	Fritz	Laimbeer	Phillips	Tiffany
Brown	Fuller	Litchard	Pickett	Tompkins
Burr	Gale	Mahar	Pierce	Trainor
Cain	Gallagher	Maloney	Post	Tripp
Clark A L	Gibney	Marshall	Raplee	Van Hoesen
Collins	Glaser	Martin	Redington	Van Rens'aer
Costello	Goodsell	Mason	Reisert	Vincent
Cottle	Graney	Matteson	Russell	Vroman
Coughtry	Greenwood	McEwan	Sage	Wallace
Cowles	Griggs	McGuire	Sanford	Weill
Crabtree	Guider	McLaughlin	Schmid A F	Whipple
Cross	Hachemeis'r	Meyer G W	Schmid F	Williams
Cullen	Haight	Miles	Schultz	Witter
Davis	Hanna	Miller	Schulum	Wright
DeGraw	Harburger			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1838) entitled "An act to amend the Fisheries, Game and Forest Law, relating to the transportation of certain fish and game from the counties of Oswego and Lewis." (Int. No. 696.)

On motion of Mr. Costello, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
 { NOES 7 }

Those who voted in the affirmative, were

Ackert	Dillon	Hanna	McKeown	Sanford
Addis	Donnelly	Harburger	McLaughlin	Schmid F
Adler	Dutton	Hatch	Miles	Schultz
Allds	Eldridge	Hays	Miller	Schulum
Armstrong	Ellis	Hill	Mullany	Seligsberg
Axtell	Evarts	Hoes	Murphy	Simmons
Baker	Farrell	Hoffman	Murray	Sinsheimer
Boland	Finn	Holbert	Meyers G W	Smith E LaG
Brennan E C	Fitzgerald	Hubbard	Nixon	Stoneman
Brennen J F	Fordyce	Hutton	Oliver	Streifler
Brewster	Fritz	Ives	Palmer	Sullivan
Brown	Fuller	Johnson	Paris	Taylor
Cain	Gallagher	Kavanaugh	Perkins	Tiffany
Chanler	Gibney	Kelly	Peterson	Tompkins
Clark A L	Glaser	Kullman	Pickett	Trainor
Costello	Goodsell	Laimbeer	Pierce	Van Hoesen
Coughtry	Graney	Litchard	Post	Vincent
Cowles	Green	Mahar	Raplee	Vroman
Cross	Greenwood	Maloney	Redington	Wallace
Cullen	Griggs	Marshall	Reisert	Weeks
Dale	Guider	Matteson	Roche	Weill
Davis	Hatchemeis'r	McEwan	Russell	Wicke
DeGraw	Haight	McGuire	Sage	Zimmerman

Those who voted in the negative, were

Bondy	Delaney	Mason	Ten Eyck	Williams
Cottle	Martin			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No.

1822) entitled "An act to amend chapter 541 of the Laws of 1897." (Int. No. 1346.)

On motion of Mr. Kullman, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 90 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Mullany	Schultz
Addis	Dutton	Hoffman	Murphy	Simmons
Adler	Egan	Holbert	Murray	Sinsheimer
Allds	Ellis	Hubbard	Myers J C	Smith F La G
Armstrong	Evarts	Hutton	Nixon	Stedman
Axtell	Farrell	Ives	O'Connor	Stoneman
Boland	Finn	Johnson	Oliver	Streifler
Bondy	Fish	Kavanaugh	Palmer	Sullivan
Brennan EC	Fordyce	Kelly	Paris	Taylor
Brennen J F	Fritz	Kelsey	Patton	Ten Eyck
Brewster	Fuller	Kullman	Perkins	Tiffany
Brown	Gale	Laimbeer	Phillips	Tompkins
Burr	Gallagher	Lowenthal	Pickett	Trainor
Cain	Gibney	Mahar	Pierce	Tremper
Chanler	Glaser	Maloney	Raplee	Tripp
Clark A L	Goodsell	Marshall	Redington	Van Hoesen
Clark C J	Graney	Martin	Reisert	Vincent
Collins	Green	Mason	Roche	Vroman
Costello	Greenwood	McEwan	Russell	Wallace
Coughtry	Griggs	McGuire	Sanford	Weekes
Cowles	Guider	McKeown	Schmid A F	Weill
Crabtree	Hachemeis'r	McLaughlin	Schmid F	Whipple
Cullen	Haight	Meyer G W	Schulum	Wicke
Dale	Hanna	Miles	Sears	Witter
DeGraw	Harburger	Miller	Seligsberg	Wright
Delaney	Hatch	Mitchell	Shoeneck	Zimmerman
Dillon	Hays	Mohring		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 82) entitled "An act making an appropriation for the purpose of repairing and improving the State road leading from North lake, in the town of Wilmurt, Herkimer county, to the east line of Oneida county." (Int. No. 82.)

On motion of Mr. Mason, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Haight	McLaughlin	Schulum
Addis	Delaney	Hanna	Meyer G W	Sears
Adler	Dillon	Hatch	Miles	Shoeneck
Allds	Donnelly	Hays	Miller	Simmons
Armstrong	Egan	Hill	Mitchell	Sinsheimer
Axtell	Eldridge	Hoes	Mohring	Sloan
Baker	Ellis	Hoffman	Mullany	Stedman
Boland	Evarts	Holbert	Murray	Stoneman
Bondy	Farrell	Hutton	Myers J C	Streifler
Brennan EC	Finn	Ives	Nixon	Sullivan
Brennen J F	Fish	Johnson	Oliver	Taylor
Brewster	Fitzgerald	Kavanaugh	Palmer	Tiffany
Brown	Fordyce	Kelly	Paris	Tompkins
Burr	Fritz	Kullman	Perkins	Tremper
Chanler	Fuller	Laimbeer	Peterson	Tripp
Clark A L	Gale	Litchard	Phillips	Van Hoesen
Clark C J	Gallagher	Lowenthal	Pierce	Van Rens'aer
Collins	Gibney	Mahar	Post	Vincent
Costello	Glaser	Maloney	Raplee	Wallace
Cottle	Goodsell	Marshall	Redington	Weekes
Coughtry	Graney	Martin	Roche	Weill

Cowles	Green	Mason	Russell	Wicke
Crabtree	Greenwood	Matteson	Sage	Williams
Cullen	Griggs	McEwan	Sanford	Witter
Dale	Guider	McGuire	Schmid A F	Zimmerman
Davis	Hachemeis'r	McKeown	Schultz	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 317) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to appeals from municipal court." (Int. No. 312.)

On motion of Mr. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Guider	McLaughlin	Schulum
Addis	Davis	Hachemeis'r	Miles	Seligsberg
Adler	DeGraw	Hanna	Miller	Shoeneck
Allds	Delaney	Harburger	Mitchell	Sinsheimer
Armstrong	Dillon	Hatch	Mullany	Sloan
Axtell	Donnelly	Hill	Murphy	Smith E LaG
Baker	Dutton	Hoes	Murray	Stedman
Boland	Egan	Hoffman	Nixon	Stoneman
Bondy	Eldridge	Holbert	O'Connor	Streifler
Brennan EC	Evarts	Hubbard	Oliver	Sullivan

Brennen J F	Farrell	Hutton	Palmer	Taylor
Brewster	Finn	Johnson	Patton	Ten Eyck
Brown	Fish	Kavanaugh	Perkins	Tiffany
Burr	Fitzgerald	Kelly	Peterson	Tompkins
Cain	Fordyce	Kelsey	Phillips	Tremper
Chanler	Fritz	Kullman	Pickett	Tripp
Clark A L	Fuller	Litchard	Pierce	Van Hoesen
Clark C J	Gale	Lowenthal	Post	Van Rens'aer
Collins	Gallagher	Mahar	Raplee	Vincent
Costello	Gibney	Maloney	Redington	Vroman
Cottle	Glaser	Marshall	Reisert	Weekes
Coughtry	Goodsell	Martin	Roche	Weill
Cowles	Graney	Mason	Sage	Wicke
Crabtree	Green	Matteson	Schmid A F	Witter
Cross	Greenwood	McGuire	Schmid F	Zimmerman
Cullen	Griggs	McKeown	Schultz	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1871) entitled "An act to enable the city of Albany to pay sundry debts for printing and advertising." (Int. No. 987.)

On motion of Mr. Kelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hanna	Mitchell	Schulum
Addis	DeGraw	Harburger	Mohring	Sears
Adler	Delaney	Hatch	Mullany	Shoeneck
Allds	Dillon	Hays	Murphy	Simmons
Armstrong	Donnelly	Hill	Murray	Sloan
Axtell	Egan	Hoes	Myers J C	Smith E LaG

Baker	Eldridge	Holbert	Nixon	Stedman
Boland	Ellis	Hutton	O'Connor	Stoneman
Bondy	Evarts	Johnson	Oliver	Streifler
Brennan E C	Farrell	Kavanaugh	Palmer	Sullivan
Brennan J F	Finn	Kelly	Paris	Ten Eyck
Brewster	Fish	Kullman	Patton	Tiffany
Brown	Fitzgerald	Lainbeer	Perkins	Tompkins
Burr	Fritz	Litchard	Peterson	Trainor
Cain	Fuller	Mahar	Phillips	Tremper
Chanler	Gale	Maloney	Pickett	Van Hoesen
Clark A L	Gallagher	Marshall	Pierce	Van Rens'aer
Clark C J	Gibney	Martin	Raplee	Vincent
Collins	Glaser	Mason	Reddington	Vroman
Cottle	Goodsell	Matteson	Reisert	Wallace
Costello	Graney	McEwan	Roche	Weekes
Cottle	Green	McGuire	Russell	Whipple
Coughtry	Greenwood	McKeown	Sage	Wicke
Cowles	Griggs	McLaughlin	Sanford	Williams
Crabtree	Guider	Meyer G W	Schmid A F	Witter
Cross	Hachemeis'r	Miles	Schmid F	Wright
Cullen	Haight	Miller	Schultz	Zimmerman
Dale				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1106) entitled "An act to enable the city of Albany to acquire title to land for the purpose of a public park to be known as River-side park." (Int. No. 921.)

On motion of Mr. Kelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hachemeis'r	McLaughlin	Schultz
Addis	Delaney	Haight	Meyer G W	Schulum
Adler	Dillon	Hanna	Miller	Sears
Allds	Donnelly	Harburger	Mitchell	Shoeneck
Armstrong	Dutton	Hays	Mohring	Sinsheimer
Axtell	Egan	Hill	Murphy	Smith E LaG
Baker	Eldridge	Hoes	Murray	Stedman
Boland	Ellis	Holbert	Nixon	Stoneman
Bondy	Farrell	Hubbard	O'Connor	Streifler
Brennan EC	Finn	Ives	Oliver	Taylor
Brennen J F	Fish	Johnson	Paris	Ten Eyck
Brown	Fitzgerald	Kelly	Patton	Tompkins
Burr	Fordyce	Kelsey	Perkins	Trainor
Cain	Fritz	Kullman	Peterson	Tremper
Clark A L	Fuller	Laimbeer	Pickett	Van Hoesen
Clark C J	Gale	Litchard	Pierce	Van Rens'aer
Collins	Gallagher	Mahar	Post	Vroman
Costello	Gibney	Maloney	Redington	Wallace
Cottle	Glazer	Marshall	Reisert	Weill
Cowles	Goodsell	Martin	Roche	Whipple
Crabtree	Graney	Mason	Russell	Williams
Cross	Green	McEwan	Sage	Witter
Cullen	Greenwood	McGuire	Schmid A F	Wright
Dale	Griggs	McKeown	Schmid F	Zimmerman
Davis	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1146) entitled "An act to provide for the removal of the remains of Colonel Christopher Greene and Major Ebenezer Flagg, and the erection of a monument to their memory." (Rec. No. 384.)

On motion of Mr. Vroman, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hanna	Miller	Schultz
Addis	Delaney	Harburger	Mitchell	Schulum
Adler	Dillon	Hatch	Mohring	Seligsberg
Allds	Donnelly	Hays	Mullany	Shoenek
Axtell	Dutton	Hill	Murphy	Simmons
Baker	Egan	Hoes	Murray	Sinsheimer
Boland	Eldridge	Hoffman	Myers J C	Smith E LaG
Bondy	Ellis	Holbert	Nixon	Stedman
Brennan E C	Evarts	Hubbard	O'Connor	Stoneman
Brennen J F	Farrell	Hutton	Oliver	Streifler
Brewster	Finn	Johnson	Palmer	Sullivan
Brown	Fish	Kavanaugh	Paris	Taylor
Burr	Fitzgerald	Kelly	Patton	Ten Eyck
Cain	Fordyce	Kullman	Perkins	Tiffany
Chanler	Fuller	Laimbeer	Peterson	Tremper
Clark A L	Gale	Litchard	Phillips	Tripp
Clark C J	Gallagher	Lowenthal	Pickett	Van Hoesen
Collins	Gibney	Mahar	Post	Van Rens'aer
Costello	Glaser	Maloney	Raplee	Vroman
Cottle	Goodsell	Marshall	Redington	Wallace
Coughtry	Graney	Martin	Reisert	Weekes
Cowles	Green	Mason	Roche	Whipple
Crabtree	Greenwood	Matteson	Russell	Williams
Cross	Griggs	McEwan	Sanford	Witter
Cullen	Guider	McKeown	Schmid A F	Wright
Dale	Hachemeis'r	McLaughlin	Schmid F	Zimmerman
Davis	Haight	Meyer G W		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1103) entitled "An act conferring upon the Board of Claims jurisdiction to hear, audit and determine the alleged claims of Thomas A. Pine and others for materials furnished and work performed in connection with the State armory and drill-room at Walton, New York." (Rec. No. 385.)

On motion of Mr. Axtell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Haight	Meyer G W	Schulum
Addis	Delaney	Hanna	Miles	Sears
Adler	Dillon	Harburger	Miller	Shoeneck
Allds	Donnelly	Hatch	Mitchell	Simmons
Armstrong	Dutton	Hill	Mohring	Sinsheimer
Axtell	Egan	Hoes	Mullany	Sloan
Baker	Eldridge	Hoffman	Murphy	Smith E La G
Boland	Ellis	Holbert	Myers J C	Stedman
Bondy	Evarts	Hubbard	Nixon	Stoneman
Brennan E C	Farrell	Hutton	O'Connor	Streifler
Brennen J F	Finn	Ives	Oliver	Sullivan
Brewster	Fish	Johnson	Palmer	Taylor
Brown	Fitzgerald	Kelly	Paris	Ten Eyck
Burr	Fordyce	Kelsey	Perkins	Tiffany
Cain	Fritz	Kullman	Peterson	Trainor
Chanler	Fuller	Laimbeer	Phillips	Tremper
Clark A L	Gale	Litchard	Pickett	Tripp
Clark C J	Gallagher	Lowenthal	Pierce	Van Rens'aer
Collins	Gibney	Mahar	Post	Vroman
Costello	Glaser	Maloney	Raplee	Wallace
Cottle	Goodsell	Marshall	Redington	Weekes
Coughtry	Graney	Martin	Reisert	Weill
Cowles	Green	Mason	Roche	Wicke
Crabtree	Greenwood	Matteson	Russell	Williams
Cullen	Griggs	McEwan	Sanford	Witter
Dale	Guider	McGuire	Schmid A F	Zimmerman
Davis	Hachemeis'r	McKeown		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1090) entitled "An act to amend section 6 of chapter 55 of the Laws of 1879, entitled 'An act to provide for the election of a police justice in the town of Waterford, county of Saratoga.'" (Rec. No. 367.)

On motion of Mr. Kavanaugh, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Harburger	Miles	Seligsberg
Addis	Dillon	Hatch	Mitchell	Shoeneck
Adler	Donnelly	Hays	Mohring	Sinsheimer
Allds	Egan	Hill	Murphy	Sloan
Armstrong	Eldridge	Hoes	Murray	Smith E LaG
Axtell	Evarts	Hoffman	Myers J C	Stedman
Baker	Farrell	Holbert	O'Connor	Stoneman
Boland	Finn	Hubbard	Oliver	Streifler
Bondy	Fish	Ives	Palmer	Taylor
Brennan EC	Fordyce	Johnson	Paris	Ten Eyck
Brewster	Fritz	Kavanaugh	Patton	Tiffany
Brown	Fuller	Kelly	Peterson	Tompkins
Burr	Gale	Kullman	Phillips	Tremper
Chanler	Gallagher	Laimbeer	Pickett	Tripp
Clark A L	Gibney	Litchard	Post	Van Hoesen
Collins	Glaser	Mahar	Redington	Van Rens'laer
Costello	Goodsell	Maloney	Reisert	Vroman
Cottle	Graney	Marshall	Roche	Wallace
Coughtry	Green	Martin	Sage	Weekes
Cowles	Greenwood	Mason	Sanford	Whipple
Crabtree	Griggs	Matteson	Schmid F	Wicke
Cross	Guider	McEwan	Schultz	Williams
Cullen	Hachemeister	McKeown	Schulum	Witter
Dale	Haight	McLaughlin	Sears	Wright
Davis	Hanna	Meyer G W		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 519) entitled "An act to amend the County Law, in relation to the number of coroners in the counties of the State." (Rec. No. 112.)

On motion of Mr. Kavanaugh, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Eldridge	Hoffman	Mullany	Schultz
Addis	Evarts	Holbert	Murphy	Schulum
Adler	Farrell	Hubbard	Murray	Sears
Armstrong	Fish	Ives	Myers J C	Seligsberg
Axtell	Fitzgerald	Johnson	Nixon	Shoeneck
Baker	Fritz	Kavanaugh	O'Connor	Simmons
Boland	Fuller	Kelsey	Oliver	Sinsheimer
Bondy	Gallagher	Kullman	Palmer	Smith E LaG
Brennan E C	Gibney	Laimbeer	Paris	Stedman
Brennen J F	Glaser	Litchard	Perkins	Stoneman
Brown	Goodsell	Mahar	Peterson	Sullivan
Burr	Graney	Maloney	Phillips	Taylor
Chandler	Green	Marshall	Pickett	Tiffany
Clark A L	Greenwood	Martin	Pierce	Trainor
Clark C J	Griggs	Mason	Post	Tremper
Costello	Guider	Matterson	Raplee	Van Hoesen
Coughtry	Hachemeis'r	McEwan	Reisert	Vincent
Cowles	Haight	McGuire	Roche	Vroman
Cross	Hanna	McLaughlin	Russell	Weekes
Cullen	Harburger	Meyer G W	Sage	Whipple

DeGraw	Hatch	Miles	Sanford	Wicke
Delaney	Hays	Miller	Schmid A F	Witter
Dillon	Hill	Mitchell	Schmid F	Wright
Dutton	Hoes	Mohring		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No 405) entitled "An act to amend section 937 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the collection of unpaid taxes and assessments levied prior to January 1st, 1898." (Rec. No. 369.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hachemeis'r	McKeown	Schmid A F
Addis	Davis	Haight	McLaughlin	Schultz
Adler	DeGraw	Harburger	Meyer G W	Schulum
Allds	Dillon	Hatch	Miller	Sears
Armstrong	Donnelly	Hill	Mitchell	Seligsberg
Axtell	Dutton	Hoes	Mullany	Shoeneck
Baker	Egan	Hoffman	Murphy	Simmons
Boland	Eldridge	Hubbard	Murray	Sloan
Bondy	Ellis	Hutton	Myers J C	Smith E LaG

Brennan E C	Evarts	Ives	O'Connor	Stedman
Brennen J F	Farrell	Johnson	Oliver	Streifler
Brewster	Finn	Kavanaugh	Palmer	Sullivan
Brown	Fitzgerald	Kelsey	Paris	Taylor
Cain	Fordyce	Kullman	Patton	Tiffany
Chanler	Fritz	Laimbeer	Perkins	Tompkins
Clark A L	Fuller	Litchard	Peterson	Tremper
Clark C J	Gale	Lowenthal	Phillips	Van Hoesen
Collins	Gallagher	Mahar	Pickett	Van Rens'aer
Costello	Gibney	Maloney	Pierce	Vroman
Cottle	Glaser	Marshall	Post	Wallace
Coughtry	Goodsell	Martin	Redington	Weill
Cowles	Graney	Mason	Reisert	Wicke
Crabtree	Green	Matteson	Roche	Witter
Cross	Greenwood	McEwan	Sage	Zimmerman
Cullen	Griggs			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1022) entitled "An act to amend section 3379 of the Code of Civil Procedure, relative to possession on security or deposit in proceeding for the condemnation of real property, by adding thereto a provision as to costs." (Rec. No. 366.)

Said bill having been announced for a third reading,

On motion of Mr. Nixon, said bill was laid aside and stricken from the calendar.

Mr. Speaker announced the special order, being the Senate bill (No. 951) entitled "An act to amend the Stock Corporation Law, in relation to the alteration or extension of business." (Rec. No. 360.)

On motion of Mr. Raplee, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 2 }

Those who voted in the affirmative, were

Ackert	Dillon	Holbert	Mohring	Sears
Addis	Donnelly	Hutton	Murphy	Seligsberg
Adler	Egan	Ives	Murray	Shoeneck
Armstrong	Eldridge	Johnson	Nixon	Simmons
Axtell	Ellis	Kavanaugh	O'Connor	Sloan
Baker	Evarts	Kelly	Oliver	Smith E LaG
Boland	Finn	Kelsey	Palmer	Stedman
Bondy	Fitzgerald	Kullman	Paris	Stoneman
Brennan E C	Fordyce	Laimbeer	Patton	Streifler
Brennen J F	Fritz	Lowenthal	Peterson	Sullivan
Brown	Gale	Mahar	Phillips	Ten Eyck
Burr	Gibney	Maloney	Pickett	Tompkins
Cain	Glaser	Marshall	Pierce	Tripp
Clark A L	Goodsell	Martin	Post	Van Hoesen
Clark C J	Green	Mason	Raplee	Van Rens'aer
Costello	Greenwood	Matteson	Redington	Vincent
Cottle	Griggs	McEwan	Reisert	Vroman
Cowles	Guider	McGuire	Roche	Weekes
Crabtree	Haight	McLaughlin	Sage	Whipple
Cullen	Hanna	Meyer W G	Sanford	Wicke
Dale	Hatch	Miles	Schmid A F	Witter
Davis	Hays	Miller	Schultz	Wright
DeGraw	Hill	Mitchell	Schulum	Zimmerman
Delaney	Hoffman			

Those who voted in the negative, were

Mullany Schmid F

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 230) entitled "An act for the regulation of pharmacists and druggists, and to prevent accidents and mistakes in the preparing and compounding of medical prescriptions in The City of New York." (Rec. No. 183.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 3 }

Those who voted in the affirmative, were

Ackert	Dillon	Hatch	Miles	Sears
Addis	Donnelly	Hill	Miller	Seligsberg
Adler	Dutton	Hoes	Mitchell	Simmons
Allds	Eldridge	Hoffman	Mohring	Sinsheimer
Armstrong	Ellis	Holbert	Mullaney	Sloan
Axtell	Evarts	Hubbard	Murphy	Smith E LaG
Baker	Farrell	Ives	Murray	Stedman
Boland	Finn	Johnson	Myers J C	Stoneman
Bondy	Fish	Kavanaugh	Nixon	Streifler
Brennan E C	Fitzgerald	Kelly	O'Connor	Sullivan
Brennen J F	Fordyce	Kelsey	Oliver	Ten Eyck
Brewster	Fritz	Kullman	Palmer	Trainor
Brown	Fuller	Lainbeer	Patton	Tremper
Cain	Gale	Lowenthal	Perkins	Tripp
Chanler	Gallagher	Mahar	Peterson	Van Rens'aer
Clark A L	Glaser	Maloney	Phillips	Vincent
Collins	Goodsell	Marshall	Pickett	Vroman
Costello	Graney	Martin	Post	Wallace
Cottle	Greenwood	Mason	Raplee	Weekes
Coughtry	Griggs	Matteson	Redington	Whipple
Cowles	Guider	McEwan	Roche	Williams
Crabtree	Hachemeis'r	McGuire	Sage	Witter
Cullen	Haight	McKeown	Schmid F	Wright
Dale	Hanna	McLaughlin	Schultz	Zimmerman
Delaney	Harburger	Meyer G W	Schulum	

Those who voted in the negative, were

Davis DeGraw Tiffany

Ordered, That the Clerk return said bill to the Senate, with a

message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 616) entitled "An act to amend sections 773, 774, 777, 780 and 781 of the Code of Criminal Procedure, relating to coroners and abolishing coroners' juries." (Rec. No. 134.)

On motion of Mr. Kavanaugh, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Delaney	Hanna	Miller	Sears
Addis	Dillon	Hatch	Mitchell	Seligsberg
Adler	Donnelly	Hays	Mohring	Shoeneck
Allds	Egan	Hoes	Mullany	Simmons
Armstrong	Eldridge	Hoffman	Murray	Sinsheimer
Axtell	Ellis	Hubbard	Myers J C	Sloan
Baker	Evarts	Hutton	Nixon	Stedman
Boland	Farrell	Ives	O'Connor	Stoneman
Bondy	Finn	Johnson	Oliver	Streifler
Brennan E O	Fish	Kavanaugh	Palmer	Taylor
Brennen J F	Fitzgerald	Kelsey	Paris	Tiffany
Brewster	Fordyce	Kullman	Perkins	Tompkins
Brown	Fritz	Litchard	Peterson	Trainor
Burr	Gale	Lowenthal	Phillips	Tripp
Cain	Gallagher	Maher	Pickett	Van Hoesen
Clark A L	Gibney	Maloney	Pierce	Vincent
Clark C J	Glaser	Marshall	Post	Vroman
Collins	Goodsell	Martin	Raplee	Weekes
Cottle	Graney	Mason	Redington	Weill
Coughtry	Green	Matteson	Reisert	Whipple
Cowles	Greenwood	McEwan	Roche	Wicke
Crabtree	Griggs	McGuire	Russell	Witter

Cullen	Guider	McKeown	Sanford	Wright
Dale	Hachemeis'r	McLaughlin	Schulum	Zimmerman
Davis	Haight	Meyer G W		

In the negative,

Fuller

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1098) entitled "An act to amend section 3 of chapter 231 of the Laws of 1876, entitled 'An act to make the office of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and compensation of other officers of said board,' as amended by chapter 195 of the Laws of 1879, and as further amended by chapter 485 of the Laws of 1892, in relation to the officers of the board of supervisors." (Rec. No. 370.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hanna	Miller	Simmons
Addis	Delaney	Harburger	Mohring	Sinsheimer
Adler	Dillon	Hays	Mullany	Smith E LaG
Allds	Donnelly	Hill	Murphy	Stedman
Armstrong	Egan	Hoes	Murray	Stoneman
Axtell	Eldridge	Holbert	Myers J C	Streifer
Baker	Ellis	Hubbard	Nixon	Sullivan
Boland	Evarts	Hutton	O'Connor	Taylor
Bondy	Farrell	Ives	Oliver	Ten Eyck

Brennan E C	Finn	Johnson	Palmer	Tiffany
Brewster	Fish	Kelly	Paris	Tompkins
Brown	Fitzgerald	Kelsey	Patton	Trainor
Burr	Fordyce	Lainbeer	Peterson	Tremper
Cain	Fritz	Litchard	Pickett	Tripp
Chanler	Fuller	Lowenthal	Pierce	Van Hoesen
Clark A L	Gale	Mahar	Post	Van Rens'aer
Clark C J	Gibney	Maloney	Raplee	Vincent
Collins	Glaser	Marshall	Redington	Vroman
Costello	Goodsell	Martin	Reisert	Wallace
Cottle	Graney	Mason	Russell	Weekes
Coughtry	Green	Matteson	Sage	Weill
Crabtree	Greenwood	McEwan	Sanford	Whipple
Cross	Griggs	McGuire	Schmid F	Wicke
Cullen	Guider	McLaughlin	Schultz	Williams
Dale	Hachemeister	Meyer G W	Schulum	Witter
Davis	Haight	Miles	Seligsberg	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1096) entitled "An act conferring jurisdiction upon the Comptroller of the State to hear and determine the application of Charles D. Shaw, executor of the estate of Abijah B. Shaw, for the cancellation of the tax sale for unpaid taxes of all that tract or parcel of land situate in the northeast quarter of the township of Sherwood, Saint Lawrence county, known as Joe's Point, otherwise Joe Indian island, in Cranberry lake." (Rec. No. 373.)

On motion of Mr. Ives, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Harburger	Miller	Seligsberg
Addis	Egan	Hatch	Mitchell	Shoeneck
Adler	Eldridge	Hays	Mohring	Sinsheimer
Allds	Ellis	Hill	Murphy	Sloan
Armstrong	Evarts	Hoes	Murray	Smith E LaG
Axtell	Farrell	Hoffman	Nixon	Stedman
Baker	Finn	Holbert	O'Connor	Stoneman
Boland	Fish	Hubbard	Oliver	Streifler
Bondy	Fitzgerald	Ives	Palmer	Sullivan
Brennan EC	Fordyce	Johnson	Paris	Taylor
Brennen J F	Fritz	Kavanaugh	Patton	Ten Eyck
Brown	Fuller	Kelsey	Perkins	Tompkins
Burr	Gale	Kullman	Peterson	Trainor
Chanler	Gallagher	Laimbeer	Phillips	Tremper
Clark A L	Gibney	Litchard	Pierce	Tripp
Clark C J	Glaser	Mahar	Post	Van Rens'aer
Costello	Goodsell	Maloney	Redington	Vincent
Cottle	Graney	Marshall	Reisert	Vroman
Coughtry	Green	Martin	Roche	Weekes
Crabtree	Greenwood	Mason	Russell	Weill
Cross	Griggs	McEwan	Sanford	Wicke
Cullen	Guider	McGuire	Schmid A F	Williams
Davis	Hachemeis'r	McKeown	Schmid F	Witter
DeGraw	Haight	McLaughlin	Schultz	Zimmerman
Dillon	Hanna	Meyer G W	Sears	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1058) entitled "An act to further amend section 1 of chapter 119 of the Laws of 1888, entitled 'An act relating to employes of the various cities and counties of the State.'" (Rec. No. 365.)

On motion of Mr. Davis, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hatch	Meyer G W	Schmid F
Addis	Davis	Hays	Miller	Schultz
Adler	Delaney	Hoes	Mitchell	Sears
Allds	Dillon	Hoffman	Mullany	Shoeneck
Armstrong	Donnelly	Holbert	Murphy	Simmons
Axtell	Egan	Hubbard	Murray	Sinsheimer
Baker	Eldridge	Hutton	Nixon	Smith E LaG
Boland	Ellis	Ives	O'Connor	Stedman
Bondy	Evarts	Johnson	Oliver	Stoneman
Brennan E C	Finn	Kavanaugh	Palmer	Streifler
Brennen J F	Fish	Kelly	Patton	Taylor
Brewster	Fordyce	Kelsey	Perkins	Ten Eyck
Burr	Fritz	Kullman	Phillips	Tiffany
Cain	Fuller	Laimbeer	Pickett	Trainor
Chanler	Gallagher	Litchard	Pierce	Tremper
Clark A L	Gibney	Mahar	Post	Van Rens'aer
Collins	Glaser	Maloney	Raplee	Vroman
Costello	Graney	Marshall	Redington	Wallace
Cottle	Green	Martin	Reisert	Weill
Coughtry	Greenwood	Mason	Roche	Whipple
Cowles	Hachemeis'r	McEwan	Russell	Williams
Crabtree	Haight	McGuire	Sage	Wright
Cross	Hanna	McKeown	Sanford	Zimmerman
Cullen	Harburger	McLaughlin		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 889, Assembly reprint No. 1849) entitled "An act to regulate the use of certain slips, piers and wharves on the East river, in The City of New York." (Rec. No. 255.)

On motion of Mr. Sinsheimer, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Harburger	Mitchell	Seligsberg
Addis	Dutton	Hatch	Mohring	Shoeneck
Adler	Egan	Hubbard	Mullany	Smith E LaG
Allds	Eldridge	Hutton	Murphy	Stedman
Armstrong	Ellis	Ives	Murray	Stoneman
Axtell	Evarts	Johnson	Myers J C	Streifler
Baker	Farrell	Kavanaugh	Nixon	Sullivan
Boland	Fish	Kelsey	O'Connor	Taylor
Bondy	Fitzgerald	Kullman	Oliver	Ten Eyck
Brennan EC	Fordyce	Laimbeer	Palmer	Tiffany.
Brennen J F	Fritz	Litchard	Paris	Tompkins
Brewster	Fuller	Lowenthal	Patton	Trainor
Brown	Gale	Mahar	Perkins	Tremper
Burr	Gallagher	Maloney	Peterson	Tripp
Cain	Gibney	Marshall	Phillips	Van Hoesen
Chanler	Glaser	Martin	Pickett	Wallace
Clark A L	Goodsell	Mason	Roche	Weekes
Clark C J	Graney	Matteson	Russell	Weill
Collins	Green	McEwan	Sage	Whipple
Costello	Greenwood	McGuire	Sanford	Wicke
Cottle	Griggs	McKeown	Schmid A F	Williams
Coughtry	Guider	McLaughlin	Schmid F	Witter
Cowles	Hachemeis'r	Meyer G W	Schulum	Wright
Crabtree	Haight	Miles	Sears	Zimmerman
Cross	Hanna	Miller		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1091) entitled "An act to license and regulate the business of private detectives and detective agencies." (Rec. No. 400.)

On motion of Mr. Kavanaugh, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Harburger	Mohring	Shoeneck
Addis	Donnelly	Hatch	Mullany	Simmons
Adler	Dutton	Hays	Murphy	Sinsheimer
Allds	Egan	Hill	Murray	Sloan
Armstrong	Eldridge	Hoes	Myers J C	Smith E LaG
Axtell	Ellis	Hoffman	Nixon	Stedman
Baker	Evarts	Holbert	O'Connor	Stoneman
Boland	Farrell	Hubbard	Oliver	Streifler
Bondy	Finn	Kullman	Palmer	Sullivan
Brennan E C	Fish	Laimbeer	Paris	Tompkins
Brennen J F	Fitzgerald	Litchard	Patton	Trainor
Brewster	Fuller	Lowenthal	Perkins	Tremper
Brown	Gale	Mahar	Peterson	Tripp
Burr	Gallagher	Maloney	Phillips	Van Hoesen
Cain	Gibney	Marshall	Pickett	Van Rensselaer
Chanler	Glaser	Martin	Pierce	Vincent
Clark A L	Goodsell	Mason	Post	Wallace
Clark C J	Graney	Matteson	Sage	Weekes
Collins	Green	McEwan	Sanford	Weill
Costello	Greenwood	McGuire	Schmid A F	Whipple
Cottle	Griggs	McKeown	Schmid F	Wicke
Coughtry	Guider	McLaughlin	Schultz	Williams
Cowles	Hachemeis'r	Meyer G W	Schulum	Witter
Crabtree	Haight	Miles	Sears	Wright
DeGraw	Hanna	Mitchell	Seligsberg	Zimmerman
Delaney				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Delaney	Hill	Murphy	Seligberg
Addis	Dillon	Hoes	Murray	Shoeneck
Adler	Donnelly	Holbert	Myers J C	Simmons
Allds	Dutton	Hutton	Nixon	Sinsheimer
Armstrong	Egan	Ives	O'Connor	Sloan
Axtell	Eldridge	Johnson	Oliver	Smith E La G
Baker	Ellis	Kavanaugh	Palmer	Stedman
Boland	Evarts	Kelly	Paris	Stoneman
Bondy	Farrell	Kelsey	Patton	Streifler
Brennan E C	Fitzgerald	Kullman	Perkins	Sullivan
Brennen J F	Fordyce	Laimbeer	Peterson	Ten Eyck
Brewster	Fritz	Litchard	Phillips	Tiffany
Burr	Fuller	Lowenthal	Pickett	Trainor
Cain	Gale	Mahar	Pierce	Tremper
Chanler	Gallagher	Maloney	Post	Tripp
Clark A L	Gibney	Marshall	Raplee	Van Hoesen
Clark C J	Glaser	Martin	Redington	Van Rens'aer
Collins	Goodsell	Mason	Reisert	Vincent
Cottle	Green	Matteson	Roche	Vroman
Coughtry	Greenwood	McEwan	Russell	Wallace
Cowles	Guider	McGuire	Sage	Weekes
Crabtree	Hachemeis'r	McKeown	Sanford	Wicke
Cross	Haight	Miles	Schmid A F	Williams
Cullen	Hanna	Miller	Schmid F	Witter
Dale	Harburger	Mitchell	Schultz	Wright
Davis	Hatch	Mohring	Schulnm	Zimmerman
DeGraw	Hays	Mullany	Sears	134

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Fish, Taylor and Costello, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1142) entitled "An act in relation to the keeper of the hall of records in the county of Kings." (Rec. No. 393.)

On motion of Mr. Davis, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 60 }

Those who voted in the affirmative, were

Addis	Cross	Hill	Miles	Smith E LaG
Adler	Davis	Hoes	Miller	Stedman
Allds	DeGraw	Holbert	Murphy	Stoneman
Armstrong	Delaney	Ives	Nixon	Taylor
Axtell	Dutton	Johnson	Paris	Ten Eyck
Baker	Eldridge	Kavanaugh	Patton	Tiffany
Bondy	Ellis	Kelsey	Perkins	Tremper
Brennan E C	Evarts	Laimbeer	Peterson	Tripp
Brewster	Fish	Litchard	Pierce	Van Rens'aer
Burr	Fordyce	Lowenthal	Post	Vincent
Clark A L	Fuller	Marshall	Raplee	Wallace
Clark C J	Goodsell	Martin	Russell	Whipple
Costello	Greenwood	Mason	Sears	Williams
Cottle	Hanna	Matteson	Simmons	Witter
Coughtry	Hatch	McEwan	Sloan	Zimmerman
Cowles	Hays			

Those who voted in the negative, were

Boland	Fitzgerald	Hoffman	Murray	Schmid A F
Brennen J F	Fritz	Hubbard	Myers J C	Schmid F
Cain	Gale	Hutton	O'Connor	Schultz
Collins	Gallagher	Kullman	Oliver	Schulum
Crabtree	Gibney	Mahar	Palmer	Seligsberg
Cullen	Glaser	Maloney	Phillips	Sinsheimer
Dale	Graney	McGuire	Pickett	Streifler
Dillon	Green	McKeown	Redington	Van Hoesen

Donnelly	Griggs	Meyer G W	Reisert	Vroman
Egan	Hachemeis'r	Mitchell	Roach	Weill
Farrell	Haight	Mohring	Sage	Wicke
Finn	Harburger	Mullany	Sanford	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1108) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to wild Mongolian ring-necked pheasants." (Rec. No. 387.)

On motion of Mr. Post, said bill was read the second time, and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hoes	Miller	Simmons
Addis	Dillon	Hoffman	Mitchell	Sinsheimer
Adler	Donnelly	Holbert	Mohring	Sloan
Allds	Dutton	Hubbard	Mullany	Smith E LaG
Armstrong	Egan	Hutton	Murphy	Stedman
Axtell	Eldridge	Ives	Murray	Stoneman
Baker	Ellis	Johnson	Myers J C	Streifler
Boland	Evarts	Kavanaugh	Nixon	Sullivan
Bondy	Farrell	Kelly	O'Connor	Taylor
Brennan E C	Fitzgerald	Kelsey	Oliver	Ten Eyck
Brewster	Fordyce	Kullman	Palmer	Tiffany
Brown	Fritz	Laimbeer	Paris	Tompkins
Burr	Fuller	Litchard	Pickett	Trainor
Cain	Gale	Lowenthal	Pierce	Van Rens'aer
Chanler	Gallagher	Mahar	Post	Vincent
Clark A L	Gibney	Maloney	Raplee	Vroman

Clark C J	Glaser	Marshall	Redington	Wallace
Collins	Goodsell	Martin	Reisert	Weekes
Costello	Graney	Mason	Roche	Weill
Cottle	Green	Matteson	Russell	Whipple
Coughtry	Greenwood	McEwan	Sage	Wicke
Cowles	Griggs	McGuire	Sanford	Williams
Crabtree	Guider	McKeown	Schmid A F	Witter
Cross	Hachemeis'r	McLaughlin	Schulum	Wright
Cullen	Hays	Meyer G W	Sears	Zimmerman
Dale	Hill	Miles	Seligberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 547) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to woodcock in the counties of Clinton, Essex and Warren." (Rec. No. 98.)

On motion of Mr. Pickett, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hays	Mohring	Shoeneck
Addis	Davis	Hill	Mullany	Simmons
Adler	Dillon	Hoes	Murphy	Sinsheimer
Allds	Donnelly	Hoffman	Murray	Sloan
Armstrong	Dutton	Holbert	Myers J C	Smith E La G
Axtell	Egan	Hubbard	Nixon	Stedman
Baker	Eldridge	Hutton	O'Connor	Stoneman
Boland	Ellis	Kelsey	Oliver	Streifler
Bondy	Evarts	Kullman	Palmer	Sullivan
Brennan E C	Farrell	Laimbeer	Paris	Taylor

Brennen J F	Finn	Litchard	Patton	Ten Eyck
Brewster	Fish	Lowenthal	Perkins	Tiffany
Brown	Fitzgerald	Mahar	Pierce	Tompkins
Burr	Fordyce	Maloney	Post	Trainor
Cain	Fritz	Marshall	Raplee	Tremper
Chanler	Gallagher	Martin	Redington	Tripp
Clark A L	Gibney	Mason	Reisert	Van Hoesen
Clark C J	Glaser	Matteson	Roche	Van Rens'ae
Collins	Goodsell	McEwan	Russell	Vincent
Costello	Graney	McGuire	Sage	Vroman
Cottle	Green	McKeown	Sanford	Wallace
Coughtry	Greenwood	McLaughlin	Schmid A F	Weekes
Cowles	Griggs	Meyer G W	Schmid F	Weill
Crabtree	Guider	Miles	Schulum	Whipple
Cross	Hachemeis'r	Miller	Sears	Wicke
Cullen	Hatch	Mitchell	Seligberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 586) entitled "An act to amend section 25 of chapter 601 of the Laws of 1895, entitled 'An act in relation to the inferior courts of criminal jurisdiction in the city and county of New York.'" (Rec. No. 173.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Debate was had thereon, when

Mr. Green moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 40 }

Those who voted in the affirmative, were

Ackert	Dutton	Harburger	Mohring	Schmid F
Adler	Egan	Hoffman	Mullany	Schultz
Boland	Eldridge	Hubbard	Murphy	Schulum
Bondy	Farrell	Hutton	Murray	Shoeneck
Brennen J F	Finn	Ives	Myers J C	Sinsheimer
Brown	Fitzgerald	Kavanaugh	O'Connor	Streifler
Burr	Fordyce	Kullman	Oliver	Sullivan
Cain	Fritz	Lowenthal	Palmer	Taylor
Chanler	Gale	Mahar	Paris	TenEyck
Collins	Gallagher	Maloney	Phillips	Tompkins
Coughtry	Gibney	McEwan	Pickett	Trainor
Crabtree	Graney	McGuire	Redington	Van Hoesen
Cross	Green	McKeown	Reisert	Vroman
Cullen	Griggs	McLaughlin	Roche	Wallace
Dale	Guider	Meyer G W	Sage	Weill
Delaney	Hachemeis'r	Miles	Sanford	Wicke
Dillon	Haight	Mitchell	Schmid A F	Wright
Donnelly				

Those who voted in the negative, were

Addis	Davis ⁷	Johnson	Pierce	Tiffany
Armstrong	Ellis	Kelsey	Raplee	Tremper
Baker	Evarts	Laimbeer	Russell	Tripp
Brewster	Fish	Litchard	Seligsberg	Van Rens'ae
Clark A L	Fuller	Matteson	Simmons	Vincent
Clark C J	Goodsell	Nixon	Smith E LaG	Weekes
Cottle	Greenwood	Patton	Stedman	Williams
Cowles	Hill	Perkins	Stoneman	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1038) entitled "An act authorizing the city of Schenectady to issue bonds to the amount of \$15,000, to raise money for school purposes." (Rec. No. 322.)

On motion of Mr. Kavanaugh, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hachemeis'r	McEwan	Raplee
Addis	Davis	Haight	McGuire	Redington
Adler	Delaney	Hanna	McKeown	Reisert
Allds	Dillon	Harburger	McLaughlin	Roche
Armstrong	Donnelly	Hatch	Meyer G W	Russell
Axtell	Dutton	Hays	Miles	Sage
Baker	Egan	Hill	Miller	Sanford
Boland	Eldridge	Hoes	Mitchell	Schmid A F
Bondy	Ellis	Holbert	Mohring	Schmid F
Brennan EC	Evarts	Hubbard	Mullany	Schulum
Brennen J F	Finn	Hutton	Murphy	Simmons
Brewster	Fish	Ives	Murray	Sinsheimer
Brown	Fitzgerald	Johnson	Myers J C	Sloan
Burr	Fordyce	Kavanaugh	Nixon	Smith E LaG
Cain	Fritz	Kelly	O'Connor	Stedman
Chanler	Fuller	Kelsey	Oliver	Stoneman
Clark A L	Gale	Kullman	Palmer	Strefler
Clark C J	Gallagher	Laimbeer	Paris	Sullivan
Collins	Gibney	Litchard	Patton	Taylor
Costello	Glaser	Lowenthal	Perkins	Ten Eyck
Cottle	Goodsell	Mahar	Peterson	Tiffany
Coughtry	Graney	Maloney	Phillips	Tripp
Cowles	Green	Marshall	Pickett	Van Hoesen
Crabtree	Greenwood	Martin	Pierce	Weill
Cross	Griggs	Mason	Post	Whipple
Cullen	Guider	Matteson		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 818) entitled "An act to amend section 3370 of the Code of

Civil Procedure, relating to proceedings of commissioners in proceedings for the condemnation of real property." (Rec. No. 230.)

On motion of Mr. Laimbeer, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hanna	Mohring	Schmid F
Addis	Davis	Hays	Mullany	Schultz
Adler	DeGraw	Hill	Murphy	Schulum
Allds	Delaney	Hoes	Murray	Sears
Armstrong	Dillon	Hoffman	Myers J C	Seligsberg
Axtell	Donnelly	Holbert	Nixon	Shoeneck
Baker	Dutton	Hubbard	O'Connor	Simmons
Boland	Egan	Kullman	Oliver	Sinsheimer
Bondy	Eldridge	Laimbeer	Palmer	Sloan
Brennan E C	Ellis	Litchard	Paris	Smith E LaG
Brennen J F	Evarts	Lowenthal	Patton	Stedman
Brewster	Farrell	Mahar	Perkins	Stoneman
Brown	Finn	Maloney	Peterson	Streffer
Burr	Fuller	Marshall	Phillips	Sullivan
Cain	Gale	Martin	Pickett	Taylor
Chanler	Gallagher	Mason	Pierce	Ten Eyck
Clark A L	Gibney	Matteson	Post	Tiffany
Clark C J	Glaser	McEwan	Raplee	Tompkins
Collins	Goodsell	McGuire	Redington	Trainor
Costello	Graney	McKeown	Reisert	Wallace
Cottle	Green	McLaughlin	Roche	Weekes
Coughtry	Greenwood	Meyer G W	Russell	Weill
Cowles	Griggs	Miles	Sage	Whipple
Crabtree	Guider	Miller	Sanford	Wicke
Cross	Hachemeister	Mitchell	Schmid A F	Williams
Cullen	Haight			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1094) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Hall against the State for damages alleged to have been sustained by him, and to render judgment therefor." ((Rec. No. 374.)

On motion of Mr. McEwan, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Hatch	Miles	Shoeneck
Addis	Dale	Hays	Miller	Simmons
Adler	Davis	Hill	Mitchell	Sinsheimer
Allds	DeGraw	Hoes	Mohring	Sloan
Armstrong	Dillon	Hoffman	Mullany	Smith E LaG
Axtell	Donnelly	Holbert	Nixon	Stedman
Baker	Dutton	Hutton	O'Connor	Stoneman
Boland	Egan	Ives	Oliver	Streifler
Bondy	Ellis	Johnson	Palmer	Sullivan
Brennan EC	Evarts	Kavanaugh	Paris	Taylor
Brennen J F	Farrell	Kelly	Patton	Ten Eyck
Brewster	Finn	Kelsey	Perkins	Tiffany
Brown	Fitzgerald	Kullman	Peterson	Tompkins
Burr	Fordyce	Mahar	Phillips	Trainor
Cain	Fritz	Maloney	Pickett	Van Hoesen
Chanler	Fuller	Marshall	Pierce	Van Rens'aer
Clark A L	Glaser	Martin	Reisert	Vincent
Clark C J	Goodsell	Mason	Roche	Vroman
Collins	Graney	Matteson	Russell	Wallace
Costello	Green	McEwan	Sage	Weekes

Cottle	Greenwood	McGuire	Sanford	Williams
Coughtry	Griggs	McKeown	Schmid A F	Witter
Cowles	Haight	McLaughlin	Schmid F	Wright
Crabtree	Hanna	Meyer G W	Schultz	Zimmerman
Cross	Harburger			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 599) entitled "An act to provide for the establishment by The City of New York of a farm colony for the detention, reformation and instruction of men convicted of vagrancy or habitual drunkenness." (Rec. No. 131.)

On motion of Mr. Laimbeer, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 12 }
 { NOES 61 }

Those who voted in the affirmative, were

Ackert	Crabtree	Nixon	Seligberg	Weekes
Addis	Davis	Oliver	Trainor	Witter
Adler	Laimbeer			

Those who voted in the negative, were

Armstrong	Fritz	Hutton	Palmer	Schmid F
Boland	Fuller	Ives	Paris	Schultz
Brennen J F	Gibney	Kavanaugh	Patton	Schulum
Cain	Graney	Kelsey	Perkins	Shoeneck
Clark C J	Green	Mahar	Phillips	Sinsheimer
Coughtry	Greenwood	Martin	Pickett	Smith E LaG
Cullen	Griggs	McKeown	Redington	Tompkins
Dale	Hachemeis'r	Miles	Reisert	Van Renssel'r
Ellis	Haight	Mullany	Roche	Vincent
Evarts	Harburger	Murphy	Russell	Weill
Finn	Hoffman	Murray	Sanford	Wicke
Fish	Hubbard	Myers J C	Schmid A F	Wright
Fitzgerald				

Mr. Laimbeer moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 882) entitled "An act to amend section 1403 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to the qualifications of justices of the Court of Special Sessions and city magistrates." (Rec. No. 258.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 74 }
{ NOES 43 }

Those who voted in the affirmative, were

Addis	Davis	Hoes	O'Connor	Stoneman
Allds	DeGraw	Holbert	Oliver	Sullivan
Armstrong	Delaney	Johnson	Paris	Taylor
Axtell	Dutton	Kelsey	Patton	Ten Eyck
Baker	Eldridge	Litchard	Perkins	Tiffany
Bondy	Ellis	Lowenthal	Peterson	Tremper
Brennan E C	Evarts	Marshall	Pierce	Tripp
Brewster	Fish	Martin	Post	Van Rens'aer
Burr	Fordyce	Mason	Raplee	Vincent
Clark A L	Fuller	Matteson	Russell	Wallace
Clark C J	Goodsell	McEwan	Schmid A F	Whipple

Costello	Greenwood	Miles	Sears	Williams
Cottle	Hanna	Mullany	Simmons	Witter
Cowles	Hatch	Murphy	Smith E LaG	Zimmerman
Cross	Hays	Nixon	Stedman	

Those who voted in the negative, were

Ackert	Farrell	Harburger	McKeown	Sage
Brennen J F	Fitzgerald	Hubbard	Meyer G W	Sanford
Cain	Gale	Hutton	Mitchell	Seligsberg
Collins	Gallagher	Kelly	Mohring	Shoeneck
Crabtree	Gibney	Kullman	Myers J C	Schultz
Cullen	Graney	Laimbeer	Phillips	Streifler
Dale	Griggs	Mahar	Redington	Weekes
Dillon	Hachemeis'r	Maloney	Reisert	Wicke
Egan	Haight	McGuire		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1106) entitled "An act to prevent fraudulent representation in labor organizations." (Rec. No. 382.)

On motion of Mr. Williams, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 147 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hoes	Murphy	Shoeneck
Addis	Donnelly	Hoffman	Murray	Simmons
Adler	Dutton	Holbert	Myers J C	Sinsheimer
Allds	Egan	Hubbard	Nixon	Sloan
Armstrong	Eldridge	Hutton	O'Connor	Smith E LaG
Axtell	Ellis	Ives	Oliver	Stedman
Baker	Evarts	Johnson	Palmer	Stoneman

Boland	Farrell	Kavanaugh	Mullany	Streidler
Bondy	Finn	Kelly	Paris	Sullivan
Brennan E C	Fitzgerald	Kelsey	Patton	Taylor
Brennen J F	Fordyce	Kullman	Perkins	Ten Eyck
Brewster	Fritz	Laimbeer	Peterson	Tiffany
Brown	Fuller	Litchard	Phillips	Tompkins
Burr	Gale	Lowenthal	Pickett	Trainor
Cain	Gallagher	Mahar	Pierce	Tremper
Chanler	Gibney	Maloney	Post	Tripp
Clark A L	Glaser	Marshall	Raplee	Van Hoesen
Clark C J	Goodsell	Martin	Redington	Van Rens'laer
Collins	Graney	Mason	Reisert	Vincent
Costello	Green	Matteson	Roche	Vroman
Cottle	Greenwood	McEwan	Russell	Wallace
Coughtry	Griggs	McGuire	Sage	Weekes
Cowles	Guider	McKeown	Sanford	Weill
Crabtree	Hachemeis'r	McLaughlin	Schmid A F	Whipple
Cross	Haight	Meyer G W	Schmid F	Wicke
Cullen	Hanna	Miles	Schultz	Williams
Dale	Harburger	Miller	Schulum	Witter
Davis	Hatch	Mitchell	Sears	Wright
DeGraw	Hays	Mohring	Seligsgberg	Zimmerman
Delaney	Hill			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1152) entitled "An act to authorize the village of Newport to change its boundaries." (Rec. No. 401.)

On motion of Mr. E. L. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Harburger	Miller	Sanford
Addis	Davis	Holbert	Mitchell	Schmid A F
Adler	DeGraw	Hubbard	Mohring	Schmid F
Allds	Delaney	Hutton	Mullany	Schulum
Armstrong	Dillon	Ives	Murphy	Sears
Axtell	Donnelly	Johnson	Murray	Simmons
Baker	Dutton	Kavanaugh	Myers J C	Sinsheimer
Boland	Egan	Kelly	Nixon	Sloan
Bondy	Eldridge	Kelsey	O'Connor	Smith E La G
Brennan E C	Ellis	Kullman	Oliver	Sullivan
Brennan J F	Evarts	Laimbeer	Palmer	Taylor
Brewster	Fritz	Litchard	Paris	Ten Eyck
Brown	Fuller	Lowenthal	Patton	Tiffany
Burr	Gale	Mahar	Perkins	Tompkins
Cain	Gallagher	Maloney	Peterson	Trainor
Chanler	Gibney	Marshall	Phillips	Tremper
Clark A L	Glaser	Martin	Pickett	Tripp
Clark C J	Goodsell	Mason	Pierce	Van Hoesen
Collins	Graney	Matteson	Post	Van Rens'aer
Costello	Green	McEwan	Raplee	Vincent
Cottle	Greenwood	McGuire	Redington	Vroman
Coughtry	Griggs	McKeown	Reisert	Wallace
Cowles	Guider	McLaughlin	Roche	Weill
Crabtree	Hachemeis'r	Meyer G W	Russell	Whipple
Cross	Haight	Miles	Sage	Wicke
Cullen	Hanna			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Dutton	Holbert	Nixon	Shoeneck
Addis	Egan	Hubbard	O'Connor	Simmons
Adler	Eldridge	Hutton	Oliver	Sloan
Allds	Ellis	Ives	Palmer	Smith E La G
Axtell	Evarts	Johnson	Paris	Stedman

Baker	Finn	Kavanaugh	Patton	Stoneman
Boland	Fish	Kelsey	Perkins	Streifler
Bondy	Fitzgerald	Kullman	Peterson	Sullivan
Brennan E C	Fordyce	Laimbeer	Phillips	Taylor
Brennen J F	Fritz	Litchard	Pickett	Ten Eyck
Brewster	Fuller	Lowenthal	Pierce	Tiffany
Cain	Gibney	Mahar	Post	Tompkins
Chanler	Glaser	Marshall	Raplee	Tremper
Clark A L	Goodsell	Martin	Reddington	Tripp
Clark C J	Graney	Mason	Reisert	Van Hoesen
Collins	Green	Matteson	Roche	Van Rens'aer
Costello	Greenwood	McEwan	Russell	Vincent
Cottle	Griggs	McKeown	Sage	Wallace
Coughtry	Haight	Meyer G W	Sanford	Weekes
Cowles	Hanna	Miles	Schmid A F	Weill
Crabtree	Harburger	Miller	Schmid F	Wicke
Cross	Hatch	Mitchell	Schultz	Williams
Cullen	Hays	Mohring	Schulum	Witter
DeGraw	Hill	Mullany	Sears	Wright
Delaney	Hoes	Murphy	Seligsberg	Zimmerman
Donnelly	Hoffman	Myers J C		128

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Davis, Gale, Farrell and Trainor, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 546) entitled "An act further to provide for the office of inspector of construction, alteration and repairs of public buildings in the county of Kings, and to define certain powers and duties." (Rec. No. 376.)

On motion of Mr. DeGraw, said bill was read the second time and ordered to a third reading.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
 { NOES 62 }

Those who voted in the affirmative, were

Addis	Davis	Hill	McLaughlin	Sloan
Adler	DeGraw	Hoes	Miles	Smith E La G
Allds	Delaney	Holbert	Miller	Stedman
Armstrong	Dutton	Ives	Murphy	Stoneman
Axtell	Eldridge	Johnson	Nixon	Ten Eyck
Baker	Ellis	Kavanaugh	Paris	Tiffany
Bondy	Evarts	Kelsey	Patton	Tremper
Brennan EC	Fish	Laimbeer	Perkins	Tripp
Brewster	Fordyce	Litchard	Peterson	Van Rens'aer
Burr	Fuller	Lowenthal	Pierce	Vincent
Clark A L	Goodsell	Marshall	Post	Wallace
Clark C J	Greenwood	Martin	Raplee	Weekes
Cottle	Hanna	Mason	Russell	Williams
Coughtry	Hatch	Matteson	Sears	Witter
Cowles	Hays	McEwan	Simmons	Zimmerman
Cross				

Those who voted in the negative, were

Ackert	Fitzgerald	Hutton	O'Connor	Schulum
Boland	Fritz	Kelly	Palmer	Shoeneck
Brennen J F	Gale	Kullman	Phillips	Sinsheimer
Chanler	Gallagher	Mahar	Pickett	Streifler
Collins	Glaser	Maloney	Redington	Sullivan
Crabtree	Graney	McKeown	Reisert	Tompkins
Cullen	Green	Meyer G W	Roche	Trainor
Dale	Griggs	Mitchell	Sage	Van Hoesen
Dillon	Hachemeis'r	Mohring	Sanford	Vroman
Donnelly	Haight	Mullany	Schmid A F	Weill
Egan	Harburger	Murray	Schmid F	Wicke
Farrell	Hoffman	Myers J C	Schultz	Wright
Finn	Hubbard			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1129) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the Sherry Cottage Company, the Metropolitan Rubber Company and the American Axe and Tool Company against the State for taxes alleged to have been erroneously paid to the Comptroller." (Rec. No. 381.)

On motion of Mr. Mason, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hill	Mohring	Sinsheimer
Addis	Dutton	Hoes	Murphy	Sloan
Adler	Eldridge	Hoffman	Myers J. C	Smith E. LaG
Allds	Evarts	Holbert	Nixon	Stedman
Armstrong	Farrell	Hubbard	Oliver	Stoneman
Axtell	Finn	Hutton	Palmer	Streifler
Baker	Fish	Johnson	Patton	Sullivan
Boland	Fordyce	Kavanaugh	Peterson	Taylor
Brennan E. C	Fritz	Kelly	Phillips	Ten Eyck
Brennen J. F	Fuller	Kelsey	Pickett	Tiffany
Brown	Gale	Laimbeer	Pierce	Trainor
Burr	Gibney	Litchard	Post	Tremper
Cain	Glaser	Lowenthal	Raplee	Tripp
Chanler	Goodsell	Mahar	Redington	Van Hoesen
Clark A. L	Graney	Maloney	Roche	Vincent
Clark C. J	Green	Marshall	Russell	Vroman
Costello	Greenwood	Martin	Sage	Wallace

Coughtry	Griggs	Mason	Sanford	Weekes
Cowles	Guider	Matteson	Schmid A F	Weill
Cross	Hachemeis'r	McGuire	Schultz	Whipple
Cullen	Hanna	McKeown	Schulum	Williams
Dale	Harburger	McLaughlin	Sears	Witter
Davis	Hatch	Miles	Seligsberg	Wright
Delaney	Hays	Miller	Shoeneck	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 403) entitled "An act to amend sections 2 and 3 of chapter 312 of the Laws of 1896, entitled 'An act to regulate the profession of public accountants.'" (Rec. No. 87.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 67 }
{ NOES 50 }

Those who voted in the affirmative, were

Addis	Eldridge	Holbert	Paris	Stoneman
Allds	Ellis	Ives	Peterson	Sullivan
Axtell	Evarts	Johnson	Pierce	Taylor
Baker	Finn	Kavanaugh	Post	Ten Eyck
Bondy	Fitzgerald	Kelly	Redington	Trainor
Brennan EC	Fuller	Marshall	Russell	Tremper

Brewster	Gibney	Mason	Sage	Tripp
Burr	Glaser	Matteson	Schmid A F	Van Rens' aer
Collins	Goodsell	Miller	Schulum	Wallace
Costello	Guider	Murphy	Sears	Whipple
Coughtry	Hanna	Murray	Simmons	Williams
Cross	Hatch	Myers J C	Sinsheimer	Witter
Davis	Hays	Nixon	Smith E La G	Zimmerman
Dillon	Hoes			

Those who voted in the negative, were

Armstrong	Egan	Huttou	Mullany	Shoeneck
Boland	Farrell	Kelsey	Oliver	Schultz
Brennen J F	Fish	Kullman	Palmer	Sloan
Chanler	Fritz	Laimbeer	Patton	Streifler
Clark C J	Gallagher	Litchard	Perkins	Tiffany
Cottle	Green •	Mahar	Pickett	Van Hoesen
Cowles	Haight	Maloney	Raplee	Vincent
Cullen	Harburger	Martin	Sanford	Weekes
Dale	Hoffman	McKeown	Schmid F	Wicke
Donnelly	Hubbard	Mitchell	Seligsburg	Wright

Mr. Marshall moved to reconsider the vote by which said bill was lost and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1133) entitled "An act providing for the construction of a lift or hoist bridge over the Erie canal, on Washington street, in the city of Utica, and making an appropriation therefor, and authorizing the city of Utica to raise money for the construction thereof." (Rec. No. 390.)

On motion of Mr. Williams, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 00 }

Thoses who voted in the affirmative, were

Ackert	Dutton	Hoes	Mohring	Sloan
Addis	Eldridge	Holbert	Murphy	Smith E La G
Adler	Evarts	Hutton	Murray	Stedman
Allds	Farrell	Ives	Myers J C	Stoneman
Axtell	Fish	Kavanaugh	O'Connor	Sullivan
Baker	Fitzgerald	Kelly	Oliver	Taylor
Bondy	Fordyce	Kelsey	Paris	Tiffany
Brennan E C	Fuller	Kullman	Perkins	Trainor
Brennen J F	Gale	Litchard	Phillips	Tremper
Brown	Gibney	Lowenthal	Pickett	Van Hoesen
Cain	Goodsell	Mahar	Post	Vincent
Clark A L	Graney	Maloney	Redington	Vroman
Clark C J	Green	Marshall	Roche	Weekes
Collins	Griggs	Martin	Russell	Weill
Cottle	Guider	Matteson	Sanford	Wicke
Cowles	Hachemeis'r	McEwan	Schmid A F	Williams
Cross	Haight	McKeown	Schultz	Witter
Cullen	Harburger	Meyer G W	Schulum	Wright
Davis	Hays	Miles	Seligsberg	Zimmerman
Delaney	Hill	Mitchell	Sinsheimer	Speaker
Dillon				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1121) entitled "An act to amend section 22 of title 5 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester.'" (Rec. No. 380.)

On motion of Mr. Graney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hays	Mohring	Simmons
Addis	Eldridge	Hoes	Mullany	Sloan
Adler	Ellis	Hoffman	Murphy	Smith E LaG
Allds	Farrell	Holbert	Murray	Stedman
Axtell	Finn	Hubbard	Nixon	Stoneman
Boland	Fitzgerald	Hutton	O'Connor	Sullivan
Bondy	Fordyce	Ives	Palmer	Taylor
Brennen J F	Fritz	Johnson	Paris	Ten Eyck
Brewster	Gale	Kelly	Perkins	Tiffany
Burr	Gallagher	Kelsey	Peterson	Trainor
Cain	Gibney	Kullman	Pickett	Tremper
Chanler	Glaser	Laimbeer	Post	Van Hoesen
Clark C J	Goodsell	Lowenthal	Redington	Van Rens'aer
Collins	Graney	Mahar	Reisert	Vincent
Costello	Green	Maloney	Roche	Vroman
Cottle	Greenwood	Martin	Russell	Weekes
Cowles	Griggs	Mason	Sanford	Weill
Cross	Guider	McEwan	Schmid A F	Wicke
Cullen	Hachemeis'r	McGuire	Schmid F	Williams
Dale	Haight	McKeown	Schulum	Witter
DeGraw	Hanna	McLaughlin	Seligsberg	Wright
Delaney	Harburger	Miles	Shoeneck	Zimmerman
Donnelly	Hatch	Mitchell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 608) entitled "An act to amend the Election Law, relating to the division and alteration of election districts." (Rec. No. 389.)

On motion of Mr. Mason, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 117 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hatch	Miles	Schultz
Addis	Donnelly	Hill	Miller	Simmons
Adler	Egan	Hoes	Mohring	Sloan
Allds	Eldridge	Hoffman	Mullany	Smith E LaG
Armstrong	Evarts	Holbert	Murray	Stedman
Baker	Farrell	Hubbard	Nixon	Striefler
Boland	Fish	Hutton	O'Connor	Sullivan
Brennan E C	Fitzgerald	Ives	Palmer	Taylor
Brennen J F	Fritz	Johnson	Paris	Ten Eyck
Brewster	Fuller	Kavanaugh	Patton	Tiffany
Brown	Gale	Kelly	Peterson	Tompkins
Cain	Gallagher	Kullman	Phillips	Tremper
Chanler	Gibney	Laimbeer	Pickett	Van Hoesen
Clark A L	Glaser	Litchard	Post	Van Rens'aer
Clark C J	Goodsell	Lowenthal	Raplee	Vincent
Costello	Graney	Mahar	Redington	Vroman
Cottle	Green	Marshall	Roche	Wallace
Coughtry	Greenwood	Martin	Russell	Weekes
Cowles	Griggs	Mason	Sage	Whipple
Crabtree	Guider	Matteson	Schmid A F	Wicke
Cullen	Hachemeis'r	McEwan	Schmid F	Williams
Dale	Haight	McKeown	Sears	Witter
DeGraw	Hanna	McLaughlin	Seligsberg	Wright
Delaney	Harburger			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1123) entitled "An act to authorize and require the town of Cortlandt, in the county of Westchester, to pay to the village of Croton-on-the-Hudson the highway tax to be collected from property within the corporate limits of said village." (Rec. No. 379.)

On motion of Mr. Graney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hoes	Murphy	Sinsheimer
Addis	Egan	Hoffman	Myers J C	Sloan
Adler	Eldridge	Hubbard	Nixon	Smith E LaG
Armstrong	Ellis	Hutton	O'Connor	Stedman
Axtell	Evarts	Johnson	Oliver	Stoneman
Baker	Finn	Kavanaugh	Palmer	Streifler
Boland	Fish	Kelly	Patton	Sullivan
Bondy	Fitzgerald	Kelsey	Perkins	Ten Eyck
Brennen J F	Fordyce	Kullman	Peterson	Tiffany
Brewster	Fritz	Laimbeer	Phillips	Tompkins
Burr	Fuller	Litchard	Pickett	Trainor
Chanler	Gale	Mahar	Pierce	Tripp
Clark A L	Gallagher	Maloney	Post	Van Hoesen
Collins	Gibney	Marshall	Redington	Van Renssel'r
Cottle	Glaser	Martin	Reisert	Vincent
Coughtry	Graney	Matteson	Roche	Wallace
Cowles	Green	McEwan	Russell	Weekes
Cross	Greenwood	McGuire	Sage	Weill
Cullen	Guider	McKeown	Sanford	Whipple
Dale	Hachemeister	McLaughlin	Schmid F	Wicke
Davis	Haight	Meyer G W	Schultz	Williams
DeGraw	Hanna	Miles	Schulum	Witter
Delaney	Harburger	Mitchell	Seligsberg	Zimmerman
Dillon	Hays	Mohring	Shoeneck	Speaker
Donnelly	Hill	Mullany		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1088) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers.'" (Rec. No. 368.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 123
} NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hatch	Mohring	Simmons
Addis	Egan	Hays	Mullany	Sinsheimer
Adler	Eldridge	Hill	Murphy	Sloan
Allds	Ellis	Hoes	Myers J C	Smith E La G
Axtell	Evarts	Hoffman	Nixon	Stedman
Boland	Farrell	Holbert	Oliver	Stoneman
Bondy	Finn	Hubbard	Palmer	Sullivan
Brennen J F	Fish	Hutton	Patton	Taylor
Brown	Fitzgerald	Johnson	Perkins	Ten Eyck
Cain	Fordyce	Kavanaugh	Peterson	Tiffany
Chanler	Fritz	Kelly	Phillips	Tompkins
Clark C J	Fuller	Kelsey	Pierce	Trainor
Collins	Gale	Kullman	Post	Tremper
Costello	Gallagher	Litchard	Raplee	Van Hoesen
Cottle	Gibney	Mahar	Redington	Van Rens'aer
Coughtry	Glaser	Maloney	Reisert	Vincent
Cowles	Goodsell	Marshall	Roche	Vroman
Crabtree	Graney	Martin	Russell	Wallace
Cullen	Greenwood	Matteson	Sage	Weekes
Dale	Griggs	McEwan	Schmid A F	Weill
Davis	Guider	McKeown	Schmid F	Wicke
DeGraw	Hachemeis'r	McLaughlin	Schulum	Williams
Delaney	Haight	Meyer G W	Sears	Witter
Dillon	Hanna	Miller	Shoeneck	Zimmerman
Donnelly	Harburger	Mitchell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 839) entitled "An act to amend chapter 266 of the Laws of

1884, entitled 'An act in relation to the salaries of stenographers of the City Court of New York.' " (Rec. No. 406.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 1 }

Those who voted in the affirmative, were

Ackert	Donnelly	Holbert	Murray	Smith E LaG
Addis	Egan	Hubbard	Myers J C	Stedman
Adler	Eldridge	Hutton	O'Connor	Stoneman
Allds	Ellis	Ives	Oliver	Streifler
Armstrong	Farrell	Johnson	Paris	Taylor
Axtell	Fish	Kelly	Patton	Ten Eyck
Boland	Fordyce	Kullman	Peterson	Tiffany
Brennan E C	Fritz	Laimbeer	Pickett	Tompkins
Brennan J F	Gale	Litchard	Pierce	Trainer
Brown	Gallagher	Mahar	Raplee	Tremper
Burr	Glaser	Maloney	Redington	Van Hoesen
Chanler	Goodsell	Martin	Reisert	Van Rens'aer
Clark A L	Green	Mason	Russell	Vincent
Collins	Greenwood	Matteson	Sage	Vroman
Costello	Griggs	McGuire	Sanford	Weekes
Coughtry	Hachemeis'r	McKeown	Schmid A F	Weill
Cowles	Haight	McLaughlin	Schultz	Whipple
Crabtree	Hanna	Miles	Schulum	Wicke
Cullen	Hatch	Miller	Sears	Williams
Dale	Hays	Mitchell	Seligberg	Wright
DeGraw	Hill	Mohring	Shoeneck	Zimmerman
Delaney	Hoffman	Murphy	Sinsheimer	

In the negative,

Davis

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 37, Assembly reprint No. 1864) entitled "An act in relation to the estate of insolvent debtors." (Rec. No. 314.)

On motion of Mr. Stedman, said bill was read the second time and ordered to a third reading.

Debate was had thereon, when

Mr. Oliver moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, not a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 72 }
{ NOES 30 }

Those who voted in the affirmative, were

Addis	Davis	Haight	McGuire	Sage
Allds	DeGraw	Hays	McKeown	Sandford
Armstrong	Donnelly	Holbert	Mullany	Schmid F
Baker	Eagan	Hutton	Murphy	Seligsberg
Boland	Eldridge	Ives	Murray	Schultz
Bondy	Farrell	Kavanaugh	Myers J C	Simmons
Brennen J F	Finn	Kelly	Oliver	Sinsheimer
Brewster	Fitzgerald	Kullman	Palmer	Stedman
Burr	Fritz	Laimbeer	Perkins	Stoneman
Cain	Gale	Lowenthal	Phillips	Streifler
Costello	Gallagher	Mahar	Pickett	Taylor
Cottle	Gibney	Marshall	Pierce	Tiffany
Coughtry	Green	Matteson	Redington	Weekes
Cowles	Griggs	McEwan	Russell	Wicke
Cullen	Hachemeis'r			

Those who voted in the negative, were

Ackert	Fordyce	Hoes	Maloney	Schmid A F
Chanler	Fuller	Hoffman	Martin	Smith E LeG

Dale	Graney	Hubbard	Miles	Sullivan
Ellis	Hanna	Johnson	Nixon	Van Rensselaer
Evarts	Harburger	Kelsey	Patton	Vincent
Fish	Hill	Litchard	Raplee	Witter

Mr. Kelly moved to reconsider the vote by which said bill was lost, and that said motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 433) entitled "An act to amend section 92 of chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations.'" (Rec. No. 124.)

Said bill having been announced for a third reading,

Mr. Armstrong rose to a question of personal privilege and stated:

Last Thursday afternoon there occurred in this House an incident which is still fresh in the minds of all who were present. To the facts since then I have given careful reconsideration. I am unwilling to commit an injustice to any man. I am unwilling to unalterably determine a fact which affects the public character or integrity of any man wholly or partly on circumstantial evidence.

I mean to be not only just, but even generous, in according to those with whom I come in contact the presumption of an absence of intent to do wrong, and whatever my opinion may be I hope it will never so far govern my senses as to render me deaf to the opinions of those whose friendship I esteem and enjoy and whose judgment I respect.

In the light of these preliminary remarks, I wish to add a brief statement concerning the incident to which I have alluded in justice to myself and my colleagues on this floor, some of whom seem to fear that in the intensity of my hostility to this vicious bill I uttered statements which might have reflected a shadow of suspicion upon them as well.

Some of my most valued friends on both sides of this chamber—for in matters of personal friendship there are no political lines—friends for whose opinion I have the highest regard are of the

opinion that the presumption which I drew from the facts disclosed was strained and unduly harsh. On the other hand, friends of equal standing in my esteem likewise upon both sides of this House have urged that it was not.

Whether it was or not, I cannot convince myself that at the time, and under the circumstances, it was not justifiable.

In proof of this let me suggest to you that at that very time the disclosure to this House of the contents of the note which I had received instantly produced the same impression upon the members of this House that it had upon me. This sufficiently evidences to my satisfaction that if an injustice was done in the presumption, it was such as reasonable men, under the same circumstances, would commit because of the substantially unanimous conclusions of my colleagues with mine at that time, and under the same circumstances.

However, I am willing, at this time, in the light of cooler and calmer reflection, and principally from the haunting fear that I have done injustice to those concerned, and a firm desire to do the right to give to the opinion of some of my friends the benefit of the doubt.

I ask you, therefore, my friends and colleagues, to join with me in these conclusions, and applying the same indulgence that I have afforded to the consideration of the facts of this matter, to efface from your recollection of the affair the charge of an intent by any person to do wrong in the act referred to.

I make this statement, not because of any change in my attitude toward this bill, because it is not my habit to relinquish an inch nor retire a step while under fire, but I wish to approach the final consideration of this bill uninfluenced and unembarrassed by the thought that I have injected into public debate personal wrong to any man and unharassed by any suspicion that my attitude upon this bill may be thought by any of my friends in this House, in which category I am proud to claim you all, to have been biased by the occurrences of the day of its last debate.

Believe me, therefore, my friends, in all sincerity and in whatever I may say upon this measure to have done all that I could to

strip it of unfairness and injustice, and to approach it in the light of honest opposition and indignation as becomes one public officer when addressing others.

Mr. Green moved that said bill be recommitted to the committee on insurance, with instructions to report the same forthwith amended as follows:

Page 3, line 24, insert after the word "immediately" the words "but this act shall not apply to any policy now in force unless within five days after the passage of this act, a copy thereof shall be sent to each policyholder of the company."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Green, and it was determined in the negative.

{ AYES 46 }
{ NOES 76 }

Those who voted in the affirmative, were

Armstrong	Green	Laimbeer	Patton	Tiffany
Baker	Greenwood	Litchard	Perkins	Tompkins
Costello	Griggs	Martin	Peterson	Van Hoesen
Cottle	Haight	McEwan	Raplee	Vroman
Cowles	Hays	Meyer G W	Seligberg	Wallace
Dale	Hill	Miles	Smith E La G	Weekes
Davis	Hutton	Murphy	Stoneman	Weill
Ellis	Kelsey	Palmer	Streifer	Witter
Evarts	Kullman	Paris	Taylor	Wright
Fish				

Those who voted in the negative, were

Ackert	Dillon	Hachemeis'r	Mohring	Schultz
Addis	Donnelly	Harburger	Mullany	Schulum
Adler	Egan	Hoes	Murray	Sears
Alds	Eldridge	Hoffman	Nixon	Shoeneck
Boland	Farrell	Holbert	O'Connor	Simmons
Bondy	Fitzgerald	Kavanaugh	Oliver	Sinsheimer
Brennan EC	Fordyce	Kelly	Phillips	Sloan
Brennen J F	Fritz	Lowenthal	Redington	Sullivan
Brewster	Gale	Mahar	Reisert	Ten Eyck
Burr	Gallagher	Maloney	Rocke	Trainor
Cain	Gibney	Mason	Russell	Tremper
Collins	Glaser	McGuire	Sage	Van Rens'aer.
Coughtry	Goodsell	McKeown	Sanford	Wicke
Crabtree	Graney	McLaughlin	Schmid A F	Williams
Cullen	Guider	Mitchell	Schmid F	Zimmerman
Delaney				

Mr. Green moved that said bill be recommitted to the committee on insurance, with instructions to report the same forthwith amended as follows:

Page 3, after line 23, insert the following, by adding a new subdivision, to be known as 92a:

92a. From and after the passage of this act, no corporation issuing policies of insurance upon the lives of persons, whether such corporation is a domestic one existing under the laws of the state, or foreign doing, or which has or may become entitled to do business within the state, shall issue any policy or certificate of insurance that shall refer to any other paper than itself, for any of the terms or conditions of said policy, upon which the same is issued, unless a complete copy of such paper thus referred to, or of such conditions upon which the said policy is thus claimed to have been issued shall be indorsed upon in red ink and printed in the same type as the body of the policy, so that said policy when issued, taken with such indorsements, shall show each and every provision and condition of the agreement between the insurance company issuing the same, and the other party or parties thereto; and no clause or provision claimed to exist in any contract of insurance evidenced by any such policy, issued after this act shall take effect, shall be held to be, or construed, as forming a part of such contract, or as any defense to its enforcement, unless indorsed upon said policy, as hereinbefore provided, and any terms or conditions not so indorsed purporting to be part of the terms and conditions of any such policy and which are against the interest of the insured, assured, his heirs, representatives or assigns, shall be absolutely null and void. The provisions of this section shall not apply to compel any mutual benefit fraternity to make its by-laws a part of the policy or certificate issued by it, where such by-laws are kept where the same can be regularly inspected by the members of any such association. If, after this section shall take effect, any company shall violate the provisions thereof, it shall be the duty of the superintendent of insurance to revoke the certificate authorizing said company so offending to do business in this state.

§ 59. No corporation issuing policies of insurance upon the lives of persons, whether such corporation is a domestic one, existing under the laws of the state or a foreign one which has become entitled to do business within the state, shall, after this section shall take effect, provide in any policy or certificate of insurance, that the person soliciting such insurance, or **any person who is** engaged in the business of soliciting insurance for the company issuing such policy, or certificate, and whose compensation is either paid by said company, or is contingent upon the issuing

of such policy, is the agent of the person insured under said policy or certificate, or shall insert in said policy or certificate any provision to make the acts or representations of such person binding upon the person so insured under said policy or certificate, and any such provision so inserted shall be null and void and of no force or effect. If, after this section shall take effect, any company shall violate the provisions thereof, it shall be the duty of the superintendent of insurance to revoke the certificate authorizing said company so offending to do business in this state.

§ 60. After this section shall take effect, it shall not be lawful for any corporation issuing within this state policies of insurance upon the lives of persons, whether such corporation is a domestic one, organized under the laws of the state, or a foreign one, which has become entitled to do business within the state, to insert in any policy or certificate of insurance issued by it, or in any application to it for a policy or certificate of insurance, or in any other paper or instrument which shall be referred to as containing any condition upon which any policy or certificate of insurance is issued, any stipulation or provision requiring the applicant for such insurance, or the beneficiary thereunder, or any other person, to waive in any action or proceeding, any provision of law, statute or common, or any provision of any code of procedure, or any rule or other provision governing the administration of justice, or the proceedings of any court; and any such requirement or provision, inserted in any instrument forming any part of a contract of insurance entered into in this state after this section shall take effect, shall be construed as against public policy, and void. It shall be the duty of the superintendent of insurance to cancel the certificate of authority to do business within the state, of any company violating any of the provisions of this section, after the same shall have taken effect.

§ 2. It shall be the duty of the secretary of state within twenty-four hours after the passage of this act to send certified copies of the same to each, every and all life insurance companies lawfully doing business in this state.

§ 3. This act shall take effect immediately.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question " Shall the main question be now put? " and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Green, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 65 }

Those who voted in the affirmative, were

Ackert	Delaney	Guider	McLaughlin	Schmid A F
Addis	Dillon	Hachemeis'r	Miller	Schmid F
Adler	Donnelly	Harburger	Mitchell	Schultz
Allds	Dutton	Hatch	Mohring	Schulum
Boland	Egan	Hays	Mullany	Sears
Bondy	Eldridge	Hoes	Myers J C	Shoeneck
Brennan E C	Farrell	Hoffman	Nixon	Sinsheimer
Brennen J F	Finn	Holbert	O'Connor	Sloan
Brewster	Fitzgerald	Hubbard	Oliver	Sullivan
Burr	Fordyce	Kavanaugh	Phillips	Ten Eyck
Cain	Fritz	Kelly	Pickett	Trainor
Collins	Gale	Lowenthal	Redington	Tremper
Coughtry	Gallagher	Mahar	Reisert	Tripp
Crabtree	Gibney	Maloney	Roche	Van Rens'aer
Cross	Goodsell	Mason	Russell	Wicke
Cullen	Graney	McGuire	Sanford	Williams
DeGraw	Greenwood	McKeown		

Those who voted in the negative were:

Armstrong	Fish	Laimbeer	Perkins	Tiffany
Axtell	Fuller	Litchard	Peterson	Tompkins
Baker	Glaser	Marshall	Pierce	Van Hoesen
Chanler	Green	Martin	Post	Vincent
Clark A L	Griggs	Matteson	Raplee	Vroman
Clark C J	Haight	McEwan	Sage	Wallace
Costello	Hanna	Meyer G W	Seligsberg	Weekes
Cottle	Hill	Miles	Simmons	Weill
Cowles	Hutton	Murphy	Smith E LaG	Whipple
Dale	Ives	Murray	Stedman	Witter
Davis	Johnson	Palmer	Stoneman	Wright
Ellis	Kelsey	Paris	Streifler	Zimmerman
Evarts	Kullman	Patton	Taylor	Speaker

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 439, Senate reprint No. 1138) entitled "An act to amend chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,' relative to employment of counsel by a district attorney" (Int. No. 420), with a message that they have concurred in the passage of the same, with the following amendments:

Make former section 2 section 3 and insert new section 2 as follows:

§ 2. This act shall not apply to any service heretofore rendered or to be rendered pursuant to any action now pending.

Mr. Pierce moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127
{ NOES 00 ;

Those who voted in the affirmative, were

Ackert	DeGraw	Hays	Mohring	Sears
Addis	Delaney	Hoes	Mullany	Seligsberg
Adler	Dillon	Hoffman	Murphy	Simmons
Allds	Donnelly	Holbert	Murray	Sinsheimer
Armstrong	Dutton	Hutton	Myers J C	Sloan
Axtell	Egan	Ives	Nixon	Smith E LaG
Baker	Ellis	Johnson	O'Connor	Stedman
Boland	Evarts	Kavanaugh	Palmer	Stoneman
Bondy	Farrell	Kelsey	Paris	Streifer
Brennan E C	Fish	Kullman	Patton	Sullivan
Brennen J F	Fitzgerald	Laimbeer	Perkins	Ten Eyck
Brewster	Fordyce	Litchard	Peterson	Tiffany
Brown	Fritz	Mahar	Pickett	Trainor
Burr	Fuller	Maloney	Pierce	Tremper
Cain	Gale	Marshall	Post	Tripp
Clark A L	Gibney	Martin	Raplee	Van Rensselaer
Clark C J	Glaser	Mason	Redington	Vroman
Collins	Goodsell	Matteson	Reisert	Wallace
Costello	Graney	McEwan	Russell	Weekes
Coughtry	Green	McGuire	Sage	Weill

Cowles	Griggs	McKeown	Sanford	Whipple
Crabtree	Guider	McLaughlin	Schmid A F	Wicke
Cross	Hachemeis'r	Meyer G W	Schmid F	Witter
Cullen	Haight	Miller	Schultz	Wright
Dale	Hanna	Mitchell	Schulum	Zimmerman
Davis	Hatch			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 898) entitled "An act to amend the Fisheries, Game and Forest Law, relative to paying bounties for the destruction of illegal devices for the taking of fish" (Int. No. 782), with a message that they have concurred in the passage of the same, with the following amendment:

At the end of section 1 add the following words: "The payment of any bounty under the provisions of this section shall be in lieu of any and all charges for expenses of the seizure, removal and destruction of such net or other illegal device otherwise payable under section thirty-three of this act. The provisions of this section shall not apply to nets in the salt waters of the state."

Mr. Costello moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 {
 { NOES 00 {

Those who voted in the affirmative, were

Ackert	Davis	Harburger	Mohring	Seligsberg
Addis	DeGraw	Hatch	Mullaney	Shoeneck
Adler	Delaney	Hill	Murphy	Simmons
Allds	Donnelly	Hoes	Murray	Sinsheimer
Armstrong	Dutton	Hoffman	Myers J C	Sloan
Axtell	Egan	Hubbard	Nixon	Stedman
Baker	Eldridge	Hutton	O'Connor	Stoneman
Boland	Ellis	Ives	Oliver	Striefler
Bondy	Farrell	Kavanaugh	Palmer	Sullivan
Brennan E C	Fish	Kelly	Patton	Taylor

Brennen J F	Fitzgerald	Kelsey	Perkins	Ten Eyck
Brewster	Fordyce	Kullman	Peterson	Tompkins
Brown	Fuller	Lambeer	Phillips	Trainor
Burr	Gale	Litchard	Pickett	Tremper
Cain	Gallagher	Mahar	Pierce	Tripp
Chanler	Gibney	Maloney	Post	Van Hoesen
Clark A L	Glaser	Marshall	Redington	Van Rens'aer
Clark C J	Goodsell	Mason	Reisert	Vroman
Collins	Graney	Matteson	Roche	Wallace
Costello	Green	McGuire	Russell	Weekes
Cottle	Greenwood	McKeown	Sage	Weill
Coughtry	Griggs	McLaughlin	Schmid A F	Wicke
Cowles	Guider	Meyer G W	Schmid F	Williams
Crabtree	Hachemeis'r	Miller	Schultz	Witter
Cross	Haight	Mitchell	Sears	Wright
Dale	Hanna			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 1397, Senate reprint No. 1147) entitled "An act to authorize the improvement of Ocean avenue, in the borough of Brooklyn, in The City of New York" (Int. No. 1133), with a message that they have concurred in the passage of the same, with the following amendments:

Section 2, line 3, after the word "shall" insert the words "within three months."

Same section, line 4, strike out the word "shall" and insert the word "may."

Mr. Tiffany moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hanna	Mohring	Sears
Addis	DeGraw	Harburger	Mullany	Seligsberg
Adler	Delaney	Hatch	Murray	Shoeneck

Allds	Dillon	Hill	Myers J C	Sinsheimer
Armstrong	Donnelly	Hoffman	Nixon	Sloan
Axtell	Egan	Holbert	O'Connor	Stedman
Baker	Eldridge	Hubbard	Oliver	Stoneman
Boland	Ellis	Ives	Palmer	Streifler
Bondy	Evarts	Johnson	Paris	Taylor
Brennan E C	Farrell	Kavanaugh	Patton	Ten Eyck
Brennen J F	Finn	Kelsey	Perkins	Tiffany
Brewster	Fish	Kullman	Peterson	Tompkins
Brown	Fitzgerald	Laimbeer	Phillips	Tremper
Burr	Fordyce	Litchard	Pierce	Tripp
Cain	Fritz	Lowenthal	Post	Van Hoesen
Chanler	Fuller	Mahar	Raplee	Van Rens'aer
Clark A L	Gale	Maloney	Redington	Vroman
Clark C J	Gallagher	Martin	Reisert	Wallace
Collins	Gibney	Mason	Roche	Weekes
Costello	Glaser	Matteson	Russell	Weill
Coughtry	Goodsell	McGuire	Sage	Whipple
Cowles	Graney	McKeown	Sauford	Williams
Crabtree	Greenwood	McLaughlin	Schmid A F	Witter
Cross	Griggs	Meyer G W	Schmid F	Wright
Cullen	Guider	Miller	Schultz	Zimmerman
Dale	Haight	Mitchell	Schulum	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate returned the bill (No. 1379, Senate reprint No. 1116) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof and supplementary thereto, in relation to taxes" (Int. No. 1093), with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 22, commencing with the word "wherever" strike out the balance of the section and insert the following words: "Whenever any tax appearing upon said rolls shall be erroneously marked cancelled or paid, the treasurer shall, immediately upon the discovery thereof, notify the owner of the property upon which said tax was so cancelled, that said cancellation was erroneous and that such tax must be paid within thirty days from the date of such notice. Said notice shall be in writing, and shall be mailed to the address of such owner, as said address appears on the maps in the assessor's office, and, if no such address is shown,

such notice shall be addressed to him at Buffalo, New York. In case said tax is not paid within said thirty days, the treasurer shall mark said tax "Erroneously cancelled," together with the date of such cancellation, and the lien of said tax shall be restored. If such tax is not restored before delivery of the rolls to the comptroller, he shall place said tax upon the tax rolls of a subsequent year, in a separate column, and said tax shall have the same force and be collected in the same manner as an original city tax for that year.

Mr. Hill moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hachemeis'r	McLaughlin	Schmid F
Addis	DeGraw	Haight	Meyer G W	Schultz
Adler	Delaney	Hanna	Miles	Sears
Allds	Dillon	Harburger	Miller	Seligsberg
Axtell	Donnelly	Hatch	Mohring	Simmons
Baker	Egan	Hays	Mullany	Sinsheimer
Boland	Eldridge	Hill	Murphy	Sloan
Bondy	Ellis	Hoes	Murray	Stedman
Brennan E C	Evarts	Hoffman	Myers J C	Stoneman
Brennen J F	Farrell	Hubbard	Nixon	Streifler
Brewster	Finn	Hutton	O'Connor	Sullivan
Brown	Fish	Johnson	Oliver	Taylor
Burr	Fitzgerald	Kavanaugh	Palmer	Tiffany
Cain	Fordyce	Kelsey	Patton	Tompkins
Chanler	Fritz	Kullman	Perkins	Trainor
Clark A L	Fuller	Litchard	Peterson	Tremper
Clark C J	Gale	Lowenthal	Phillips	Tripp
Collins	Gallagher	Mahar	Pickett	Van Rensel'r
Costello	Gibney	Maloney	Pierce	Vincent
Cottle	Glaser	Marshall	Post	Vroman
Coughtry	Goodsell	Martin	Raplee	Wallace
Cowles	Graney	Mason	Redington	Weill

Crabtree	Green	Matteson	Roche	Whipple
Cross	Greenwood	McEwan	Sage	Williams
Cullen	Griggs	McGuire	Sanford	Witter
Dale	Guider	McKeown	Schmid A F	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1008, Senate reprint No. 1132) entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and the several acts amendatory thereof and supplementary thereto" (Int. No. 865), with a message that they have concurred in the passage of the same, with the following amendment:

Add at the end of section 2 the words "except chapter thirty-eight of the laws of eighteen hundred and ninety-eight."

Mr. Perkins moved to concur in the Senate amendment:

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative were

Ackert	Delaney	Haight	Miles	Schulum
Addis	Dillon	Hanna	Miller	Sears
Adler	Donnelly	Harburger	Mitchell	Shoeneck
Allds	Dutton	Hays	Mohring	Sinsheimer
Armstrong	Egan	Hill	Mullany	Sloan
Axtell	Eldridge	Hoffman	Murphy	Smith E La G
Baker	Ellis	Holbert	Myers J C	Stedman
Boland	Evarts	Hubbard	Nixon	Stoneman
Bondy	Farrell	Ives	O'Connor	Streifler
Brennan E C	Finn	Johnson	Oliver	Sullivan
Brennen J F	Fish	Kelly	Paris	Taylor
Brewster	Fitzgerald	Kelsey	Patton	Ten Eyck
Burr	Fordyce	Laimbeer	Perkins	Tiffany
Cain	Fritz	Litchard	Peterson	Tompkins

Chanler	Fuller	Lowenthal	Phillips	Tremper
Clark A L	Gale	Mahar	Pickett	Tripp
Clark C J	Gallagher	Maloney	Post	Van Hoesen
Collins	Gibney	Marshall	Raplee	Van Rens'aer
Costello	Glaser	Martin	Redington	Vincent
Cottle	Goodsell	Mason	Reisert	Wallace
Cowles	Graney	Matteson	Roche	Weekes
Crabtree	Green	McEwan	Russell	Weill
Cross	Greenwood	McGuire	Sanford	Wicke
Cullen	Griggs	McKeown	Schmid A F	Williams
Dale	Guider	McLaughlin	Schmid F	Witter
Davis	Hachemeis'r	Meyer G W	Schultz	Zimmerman
DeGraw				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1437, Senate reprint No. 1054) entitled "An act to amend the Code of Criminal Procedure, and to repeal sections 2 and 6 of chapter 490 of the Laws of 1885, entitled 'An act concerning tramps,' in relation to vagrants and tramps" (Int. No. 684), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after section 5 and insert the following:

§ 6. This act shall not apply to cities of the first and second class.

§ 7. This act shall take effect September first, eighteen hundred and ninety-eight.

Page 3, line 23, strike out the words "or in the" and all of lines 24 and 25, same page.

Mr. Nixon, moved to concur in the Senate amendments:

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
 { NOES 00 }

Those who voted in the affirmative were

Ackert	Davis	Haight	Miles	Schmid F
Addis	DeGraw	Hanna	Miller	Schulum
Adler	Delaney	Harburger	Mitchell	Seligsberg
Allds	Dillon	Hatch	Mohring	Shoeneck
Armstrong	Donnelly	Hays	Mullany	Schultz
Axtell	Dutton	Hill	Murphy	Simmons
Baker	Egan	Hoes	Murray	Sinsheimer
Boland	Eldridge	Hoffman	Myers J C	Sloan
Bondy	Ellis	Holbert	Nixon	Smith E LaG
Brennan E C	Evarts	Hubbard	O'Connor	Stedman
Brennen J F	Farrell	Hutton	Oliver	Stoneman
Brewster	Finn	Ives	Palmer	Streifler
Brown	Fish	Johnson	Patton	Sullivan
Burr	Fitzgerald	Kavanaugh	Perkins	Taylor
Cain	Fordyce	Kelsey	Phillips	Ten Eyck
Chanler	Fritz	Kullman	Pickett	Tompkins
Clark A L	Fuller	Litchard	Pierce	Tremper
Clark C J	Gale	Lowenthal	Post	Van Hoesen
Collins	Gallagher	Mahar	Raplee	Van Rens'aer
Costello	Gibney	Maloney	Redington	Vroman
Cottle	Glaser	Marshall	Reisert	Weekes
Coughtry	Goodsell	Mason	Roche	Weill
Cowles	Graney	Matteson	Russell	Wicke
Crabtree	Green	McGuire	Sage	Williams
Cross	Greenwood	McKeown	Sanford	Witter
Cullen	Griggs	McLaughlin	Schmid A F	Zimmerman
Dale	Hachemeis'r	Meyer G W		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

Mr. Hill offered, for the consideration of the House, a resolution in the words following:

Resolved, That a respectful message be sent to the Senate, requesting the return to the Assembly of Assembly bill No. 1595, entitled "An act to incorporate the Merchants' Transportation and Storage Company" for the purpose of reconsideration of the vote by which such Assembly bill passed the Assembly.

Debate was had thereon, when

Mr. Oliver moved the previous question.

Mr. Speaker put the question " Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hill, and it was determined in the negative.

{ AYES 36 }
{ NOES 60 }

Those who voted in the affirmative, were

Baker	Ellis	Ives	Miller	Taylor
Boland	Farrell	Lowenthal	Murphy	Ten Eyck
Bondy	Fish	Maloney	Patton	Tiffany
Clark A L	Fuller	Martin	Perkins	Van Rens'laer
Clark C J	Greenwood	Mason	Raplee	Vincent
Costello	Hill	McEwan	Simmons	Wallace
Cottle	Hoes	Miles	Smith E LaG	Williams
Davis				

Those who voted in the negative, were

Ackert	Evarts	Harburger	O'Connor	Schmid F
Addis	Fitzgerald	Kavanaugh	Oliver	Schultz
Brennen J F	Fritz	Kelsey	Palmer	Schulum
Brewster	Gale	Kullman	Paris	Seligsberg
Brown	Gallagher	Mahar	Phillips	Sinsheimer
Burr	Gibney	McGuire	Pickett	Sullivan
Collins	Glaser	McKeown	Pierce	Tompkins
Coughtry	Goodsell	McLaughlin	Reisert	Trainor
Crabtree	Graney	Meyers G W	Roche	Vroman
Dale	Green	Mitchell	Russell	Weekes
Dillon	Hachemeister	Mullany	Sanford	Wicke
Egan	Haight	Myers J C	Schmid A F	Zimmerman

Mr. Speaker announced the special order, being the Senate bill (No. 517) entitled "An act to authorize and direct the Comptroller of this State to hear and determine the application of Morris Goldstein for the redemption of lot 48 and the east part of lot 47 of the Nash tract, on the south side of Nassau street, in the city of Rochester. Monroe county, New York, from the sale thereof by the Comptroller, in the year 1890, for unpaid taxes." (Rec. No. 315.)

On motion of Mr. Perkins, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hanna	McLaughlin	Seligsberg
Addis	DeGraw	Harburger	Miles	Simmons
Adler	Delaney	Hatch	Miller	Sinsheimer
Allds	Eillon	Hays	Mohring	Sloan
Armstrong	Donnelly	Hill	Mullany	Stedman
Axtell	Dutton	Hoffman	Murphy	Stoneman
Baker	Egan	Holbert	Myers J C	Streifler
Boland	Ellis	Hubbard	Nixon	Sullivan
Bondy	Evarts	Hutton	Oliver	Taylor
Brennan E C	Farrell	Ives	Palmer	Ten Eyck
Brennen J F	Finn	Kavanaugh	Paris	Tiffany
Brown	Fish	Kelly	Patton	Tompkins
Burr	Fitzgerald	Kelsey	Perkins	Trainor
Cain	Fordyce	Laimbeer	Phillips	Tripp
Chanler	Fuller	Litchard	Pierce	Van Rens'aer
Clark A L	Gale	Lowenthal	Post	Vincent
Clark C J	Gallagher	Mahar	Raplee	Wallace
Collins	Glaser	Maloney	Reisert	Weekes
Costello	Graney	Marshall	Roche	Weill
Cottle	Green	Martin	Sage	Wicke
Cowles	Greenwood	Mason	Schmid A F	Witter
Crabtree	Griggs	Matteson	Schultz	Wright
Cross	Hachemeis'r	McEwan	Schulum	Zimmerman
Cullen	Haight	McKeown	Sears	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1095) entitled "An act to enable the city of Albany to pay sundry debts." (Rec. No. 375.)

On motion of Mr. Kelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Holbert	Mullany	Simmons
Addis	Eldridge	Hubbard	Murphy	Sloan
Adler	Evarts	Hutton	Murray	Smith E LaG
Allds	Finn	Ives	Nixon	Stedman
Armstrong	Fish	Kavanaugh	O'Connor	Streifler
Baker	Fordyce	Kelly	Palmer	Sullivan
Bondy	Fuller	Kelsey	Paris	Taylor
Brennan EC	Gale	Kullman	Patton	Tiffany
Brewster	Gallagher	Laimbeer	Peterson	Tompkins
Brown	Gibney	Litchard	Phillips	Tremper
Cain	Goodsell	Lowenthal	Pickett	Tripp
Chanler	Graney	Mahar	Post	Van Rens'aer
Clark C J	Green	Maloney	Raplee	Vroman
Collins	Griggs	Marshall	Redington	Wallace
Cottle	Guider	Martin	Roche	Weekes
Cowles	Hachemeis'r	Matteson	Russell	Weill
Cross	Haight	McEwan	Sanford	Whipple
Cullen	Hanna	McGuire	Schmid A F	Wicke
Davis	Harburger	McLaughlin	Schulum	Williams
Delaney	Hatch	Meyer G W	Sears	Witter
Dillon	Hill	Miller	Seligsberg	Wright
Donnelly	Hoes	Mitchell	Shoeneck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1131) entitled "An act to amend section 62 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws.'" (Rec. No. 397.)

On motion of Mr. Kelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hays	Miles	Shoeneck
Addis	Egan	Hill	Miller	Simmons
Adler	Eldridge	Hoes	Mohring	Sinsheimer
Armstrong	Ellis	Hoffman	Mullany	Sloan
Axtell	Evarts	Holbert	Murray	Stedman
Baker	Finn	Hubbard	Myers J C	Stoneman
Boland	Fish	Hutton	O'Connor	Streifer
Bondy	Fitzgerald	Ives	Oliver	Sullivan
Brennan E C	Fritz	Kavanaugh	Palmer	Taylor
Brennen J F	Fuller	Kelly	Patton	Ten Eyck
Brown	Gale	Kelsey	Perkins	Tiffany
Cain	Gallagher	Kullman	Peterson	Trainor
Chanler	Glaser	Laimbeer	Phillips	Tremper
Clark A L	Goodsell	Litchard	Pierce	Van Hoesen
Collins	Graney	Mahar	Post	Van Rens'aer
Costello	Green	Maloney	Raplee	Vroman
Coughtry	Greenwood	Marshall	Reisert	Weekes
Crabtree	Griggs	Martin	Roche	Weill
Cross	Guider	Mason	Sage	Wicke
Cullen	Haight	Matteson	Sanford	Witter
Dale	Hanna	McGuire	Schmid F	Wright
DeGraw	Harburger	McKeown	Schulum	Zimmerman
Delaney	Hatch	McLaughlin	Seligberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 987) entitled "An act to amend section 11 of chapter 533 of

the Laws of 1880, entitled 'An act to regulate the passage of lumber, logs and other timber upon the rivers of this State recognized by law or common use as public highways for the purpose of floating and running lumber, logs and other timber over or upon the same to market or places of manufacture.' " (Rec. No. 297.)

On motion of Mr. C. J. Clark, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Hubbard	Murray	Seligsberg
Addis	Eldridge	Hutton	Nixon	Shoeneck
Adler	Evarts	Ives	O'Connor	Simmons
Allds	Finn	Kavanaugh	Oliver	Sinsheimer
Armstrong	Fish	Kelly	Paris	Sloan
Axtell	Fordyce	Kelsey	Patton	Stedman
Baker	Fritz	Kullman	Perkins	Stoneman
Boland	Fuller	Litchard	Peterson	Streifler
Brennan E C	Gallagher	Lowenthal	Phillips	Sullivan
Brennen J F	Gibney	Maloney	Pickett	Taylor
Brown	Glaser	Marshall	Pierce	Tiffany
Burr	Goodsell	Martin	Post	Tompkins
Cain	Graney	Mason	Raplee	Trainor
Clark A L	Greenwood	Matteson	Reisert	Tremper
Clark C J	Griggs	McGuire	Roche	Van Hoesen
Costello	Hachemeis'r	McKeown	Russell	Vincent
Cottle	Haight	McLaughlin	Sage	Vroman
Coughtry	Hanna	Meyer G W	Sanford	Wallace
Crabtree	Harburger	Miles	Schmid A F	Weekes
Cross	Hatch	Miller	Schmid F	Whipple
Dale	Hays	Mitchell	Schultz	Wicke
Davis	Hill	Mohring	Schulum	Witter
Delaney	Hoes	Mullany	Sears	Wright
Donnelly	Holbert	Murphy		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 983) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to fish in Lake Ontario and other waters." (Rec. No. 303.)

On motion of Mr. Trainor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Harburger	Miller	Seligsberg
Addis	Donnelly	Hatch	Mitchell	Shoeneck
Adler	Dutton	Hays	Mohring	Sinsheimer
Allds	Egan	Hill	Mullany	Sloan
Armstrong	Eldridge	Hoes	Murray	Smith E La G
Axtell	Ellis	Hoffman	Myers J C	Stedman
Baker	Evarts	Holbert	Nixon	Stoneman
Boland	Farrell	Hubbard	O'Connor	Streifler
Bondy	Finn	Hutton	Palmer	Sullivan
Brennan E C	Fish	Ives	Paris	Taylor
Brennen J F	Fitzgerald	Johnson	Patton	Ten Eyck
Brewster	Fordyce	Kelly	Perkins	Tiffany
Brown	Fritz	Kelsey	Peterson	Tompkins
Burr	Fuller	Laimbeer	Phillips	Trainor
Cain	Gale	Litchard	Pickett	Tripp
Clark A L	Gallagher	Lowenthal	Post	Van Hoesen
Clark C J	Gibney	Mahar	Raplee	Van Rens'aer
Collins	Glaser	Maloney	Redington	Vincent
Costello	Goodsell	Marshall	Reisert	Vroman
Cottle	Graney	Martin	Roche	Wallace

Cowles	Green	Mason	Russell	Weill
Crabtree	Greenwood	Matteson	Sage	Whipple
Cullen	Griggs	McEwan	Sanford	Wicke
Dale	Guider	McKeown	Schmid A F	Williams
Davis	Hachemeis'r	McLaughlin	Schmid F	Witter
DeGraw	Haight	Meyer G W	Schultz	Wright
Delaney	Hanna	Miles	Schulum	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 955) entitled "An act to release to Lucy Priest, widow of Charles N. Priest, and to Lucy Priest, widow of Colville G. Priest, all the right, title and interest of the people of the State of New York in and to certain real estate." (Rec. No. 342.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 121 }
{ NOES 2 }

Those who voted in the affirmative, were

Ackert	Donnelly	Harburger	Miles	Schultz
Addis	Dutton	Hatch	Miller	Sears
Adler	Egan	Hays	Mitchell	Seligsberg
Allds	Eldridge	Hill	Mohring	Schoeneck
Axtell	Ellis	Hoes	Mullany	Simmons
Baker	Evarts	Holbert	Nixon	Sinsheimer
Bondy	Farrell	Hubbard	O'Connor	Sloan
Brennan E C	Finn	Ives	Oliver	Stedman
Brennen J F	Fordyce	Johnson	Paris	Stoneman
Brewster	Fritz	Kavanaugh	Patton	Streifler
Brown	Fuller	Kelly	Perkins	Sullivan
Cain	Gale	Kullman	Peterson	Taylor

Chanler	Gallagher	Laimbeer	Phillips	Ten Eyck
Clark A L	Gibney	Litchard	Pickett	Tompkins
Clark C J	Glaser	Lowenthal	Pierce	Trainor
Collins	Goodsell	Mahar	Post	Tripp
Cottle	Graney	Maloney	Raplee	Van Hoesen
Coughtry	Green	Marshall	Reddington	Vincent
Crabtree	Greenwood	Martin	Reisert	Wallace
Cross	Griggs	Mason	Roche	Weekes
Cullen	Guider	Matteson	Russell	Whipple
Dale	Hachemeis'r	McEwan	Sage	Williams
DeGraw	Haight	McKeown	Schmid A F	Witter
Delaney	Hanna	McLaughlin	Schmid F	Zimmerman
Dillon				

Those who voted in the negative, were

Fish Kelsey

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 600) entitled "An act in relation to proceedings for the opening of streets and avenues and closing old roads or highways in the late city of Brooklyn commenced prior to its annexation with The City of New York, and to provide for the completion of the same." (Rec. No. 411.)

On motion of Mr. McKeown, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hanna	Miles	Shoeneck
Addis	Donnelly	Hatch	Mitchell	Simmons
Adler	Dutton	Hays	Mohring	Sinsheimer

Allds	Egan	Hill	Mullany	Smith E LaG
Armstrong	Eldridge	Hoffman	Murray	Stedman
Axtell	Evarts	Holbert	Nixon	Stoneman
Boland	Farrell	Hutton	O'Connor	Streifler
Bondy	Finnn	Johnson	Palmer	Taylor
Brennan EC	Fish	Kavanaugh	Paris	Ten Eyck
Brennen J F	Fitzgerald	Kelly	Patton	Tompkins
Brown	Fritz	Kelsey	Peterson	Tremper
Burr	Fuller	Kullman	Pickett	Tripp
Chanler	Gale	Laimbeer	Pierce	Van Hoesen
Clark A L	Gallagher	Litchard	Raplee	Vincent
Clark C J	Gibney	Mahar	Redington	Vroman
Collins	Glaser	Maloney	Roche	Weekes
Costello	Goodsell	Marshall	Russell	Weill
Cottle	Graney	Martin	Sage	Whipple
Cowles	Greenwood	Mason	Schmid A F	Wicke
Crabtree	Griggs	Matteson	Schmid F	Williams
Cross	Guider	McEwan	Schultz	Wright
Dale	Hachemeis'r	McKeown	Schulum	Zimmerman
DeGraw	Haight	McLaughlin	Seligsberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1101) entitled "An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of constructing a bridge over the Erie canal at Bridge street, in the city of Syracuse." (Rec. No. 388.)

On motion of Mr. Bondy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hatch	Mitchell	Seligberg
Addis	Dutton	Hays	Mohring	Shoeneck
Adler	Egan	Hill	Mullany	Simmons
Allds	Eldridge	Hoes	Murray	Sinsheimer
Armstrong	Ellis	Hoffman	Myers J C	Sloan
Axtell	Farrell	Hubbard	O'Connor	Smith E LaG
Baker	Finn	Hutton	Oliver	Stedman
Boland	Fish	Ives	Paris	Stoneman
Bondy	Fordyce	Kelly	Patton	Sullivan
Brennen J F	Fritz	Kavanaugh	Perkins	Taylor
Brewster	Fuller	Kelsey	Phillips	Tiffany
Brown	Gale	Kullman	Pickett	Tompkins
Burr	Gallagher	Laimbeer	Pierce	Tremper
Cain	Gibney	Litchard	Post	Tripp
Chanler	Glaser	Mahar	Raplee	Van Hoesen
Clark A L	Goodsell	Maloney	Redington	Vincent
Collins	Graney	Marshall	Reisert	Vroman
Costello	Green	Martin	Roche	Wallace
Cottle	Greenwood	Mason	Russell	Weill
Cowles	Griggs	McEwan	Sage	Whipple
Crabtree	Guider	McGuire	Sanford	Wicke
Cullen	Hachemeister	McKeown	Schmid F	Williams
Dale	Haight	Meyer G W	Schultz	Witter
Davis	Hanna	Miles	Sears	Wright
Delaney	Harburger	Miller		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1793) entitled "An act to amend the Transportation Corporation Law, and the act amendatory thereof, relative to gates, rates of toll and exemption." (Int. No. 853.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hays	Mohring	Seligsberg
Addis	Dillon	Hill	Mullany	Shoeneck
Adler	Donnelly	Hoffman	Murray	Simmons
Allds	Dutton	Holbert	Myers J C	Sinsheimer
Armstrong	Egan	Hubbard	Nixon	Sloan
Axtell	Ellis	Ives	O'Connor	Smith E LaG
Baker	Evarts	Johnson	Oliver	Stedman
Boland	Finn	Kelly	Palmer	Stoneman
Bondy	Fitzgerald	Kullman	Paris	Streifler
Brennan E C	Fordyce	Laimbeer	Perkins	Sullivan
Brennen J F	Fritz	Litchard	Peterson	Taylor
Brewster	Fuller	Mahar	Phillips	Ten Eyck
Brown	Gale	Maloney	Pickett	Tompkins
Burr	Gallagher	Marshall	Post	Tremper
Chanler	Gibney	Martin	Raplee	Tripp
Clark A L	Glaser	Mason	Redington	Van Rens'aer
Clark C J	Goodsell	Matteson	Reisert	Vincent
Costello	Graney	McEwan	Roche	Vroman
Cottle	Green	McGuire	Sage	Weekes
Cowles	Greenwood	McKeown	Sanford	Weill
Crabtree	Griggs	McLaughlin	Schmid A F	Wicke
Cullen	Hachemeis'r	Miles	Schmid F	Williams
Dale	Hanna	Miller	Schultz	Wright
Davis	Harburger	Mitchell	Schulum	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 973) entitled "An act to authorize the board of estimate and apportionment of The City of New York to hear, examine and audit the claim of Louis W. Briggs, for work, labor and service performed and materials furnished for work done on grammar school No. 85 in The City of New York." (Rec. No. 357.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Mullany	Shoenek
Addis	Donnelly	Hill	Murphy	Simmons
Adler	Dutton	Hoes	Murray	Sinsheimer
Allds	Eldridge	Hoffman	Myers J C	Smith E La G
Armstrong	Ellis	Holbert	Nixon	Stedman
Axtell	Farrell	Hutton	Oliver	Stoneman
Baker	Finn	Ives	Palmer	Streifler
Boland	Fish	Johnson	Paris	Sullivan
Bondy	Fitzgerald	Kelly	Perkins	Taylor
Brennan E C	Fordyce	Kelsey	Peterson	Ten Eyck
Brewster	Fritz	Laimbeer	Phillips	Tiffany
Brown	Fuller	Litchard	Pickett	Trainor
Burr	Gale	Mahar	Pierce	Tripp
Chanler	Gallagher	Maloney	Post	Van Hoesen
Clark A L	Gibney	Marshall	Raplee	Van Rens'aer
Clark C J	Goodsell	Martin	Reisert	Vincent
Costello	Graney	Mason	Roche	Wallace
Cottle	Green	Matteson	Russell	Weekes
Cowles	Greenwood	McGuire	Sage	Weill
Crabtree	Guider	McKeown	Schmid A F	Wicke
Cross	Hachemeis'r	McLaughlin	Schultz	Williams
Dale	Hanna	Miles	Schulum	Wright
Davis	Harburger	Miller	Sears	Zimmerman
Delaney	Hatch	Mitchell	Seligsberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 864) entitled "An act to release to James Cassaday all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Deer Park, county of Orange and State of New York." (Rec. No. 284.)

On motion of Mr. Goodsell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hoffman	Murphy	Shoeneck
Addis	DeGraw	Holbert	Murray	Sinsheimer
Adler	Dillon	Hubbard	Myers J C	Sloan
Alds	Donnelly	Ives	Nixon	Stedman
Armstrong	Dutton	Johnson	O'Connor	Stoneman
Axtell	Eldridge	Kavanaugh	Oliver	Streifler
Baker	Ellis	Kelly	Palmer	Sullivan
Boland	Farrell	Kelsey	Paris	Taylor
Bondy	Fish	Kullman	Patton	Ten Eyck
Brennan EC	Fitzgerald	Litchard	Perkins	Tiffany
Brennen J F	Fritz	Lowenthal	Peterson	Tompkins
Brewster	Fuller	Mahar	Phillips	Trainor
Brown	Gale	Maloney	Pickett	Tremper
Burr	Gallagher	Marshall	Pierce	Tripp
Cain	Gibney	Martin	Post	Van Hoesen
Chanler	Goodsell	Mason	Raplee	Van Rens'aer
Clark A L	Green	Matteson	Redington	Vincent
Clark C J	Greenwood	McEwan	Roche	Vroman
Collins	Griggs	McGuire	Russell	Wallace
Costello	Hachemeis'r	McKeown	Sage	Weekes
Cottle	Haight	Meyer G W	Sanford	Weill
Coughtry	Hanna	Miles	Schmid A F	Whipple
Cowles	Harburger	Miller	Schmid F	Wicke
Crabtree	Hatch	Mitchell	Schultz	Witter
Cross	Hill	Mohring	Schulum	Zimmerman
Cullen	Hoes	Mullany	Seligsberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1107) entitled "An act authorizing the board of police of the city of Yonkers to borrow money for the purpose of defraying the necessary expenses of the said board of police and police force." (Rec. No. 378.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Miles	Seligberg
Addis	Donnelly	Hill	Mitchell	Shoenek
Adler	Egan	Hoes	Mohring	Sinsheimer
Allds	Eldridge	Hoffman	Murphy	Smith E LaG
Armstrong	Ellis	Hubbard	Myers J C	Stedman
Baker	Farrell	Hutton	Nixon	Streifler
Boland	Finn	Ives	Oliver	Sullivan
Brennan E C	Fish	Johnson	Palmer	Taylor
Brewster	Fordyce	Kavanaugh	Paris	Ten Eyck
Brown	Fritz	Kelsey	Perkins	Tiffany
Burr	Fuller	Kullman	Peterson	Trainor
Cain	Gale	Laimbeer	Phillips	Tremper
Clark A L	Gallagher	Lowenthal	Pierce	Tripp
Clark C J	Gibney	Murphy	Post	Van Rens'aer
Collins	Goodsell	Mahar	Redington	Vincent
Costello	Graney	Maloney	Reisert	Wallace
Coughtry	Green	Marshall	Roche	Weekes
Cowles	Greenwood	Martin	Russell	Whipple
Crabtree	Guider	Mason	Sage	Wicke
Cullen	Hachemeis'r	McEwan	Schmid A F	Williams
Dale	Haight	McGuire	Schmid F	Witter
DeGraw	Hanna	McKeown	Schultz	Wright
Delaney	Harburger	Meyer G W	Schulum	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 865) entitled "An act to amend chapter 298 of the Laws of 1883, entitled "An act to provide for the government of the city of Albany," and the several acts amendatory thereof." (Rec. No. 412.)

On motion of Mr. McEwan, said bill was read the second time and ordered to a third reading

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hatch	Miles	Schulum
Addis	Dillon	Hays	Miller	Seligsberg
Adler	Donnelly	Hill	Mohring	Shoeneck
Allds	Dutton	Hoffman	Mullany	Sinsheimer
Armstrong	Egan	Holbert	Murphy	Sloan
Axtell	Eldridge	Hubbard	Murray	Smith E LaG
Baker	Evarts	Hutton	Myers J C	Stedman
Boland	Farrell	Johnson	Nixon	Stoneman
Bondy	Finn	Kavanaugh	O'Connor	Streifler
Brennan E C	Fish	Kelly	Palmer	Sullivan
Brennen J F	Fitzgerald	Kelsey	Paris	Ten Eyck
Brewster	Fritz	Kullman	Patton	Tiffany
Brown	Fuller	Laimbeer	Perkins	Tremper
Cain	Gale	Litchard	Peterson	Tripp
Chanler	Gallagher	Lowenthal	Phillips	Van Hoesen
Clark A L	Glaser	Mahar	Pickett	Van Rensae'r
Clark C J	Goodsell	Maloney	Post	Vroman
Costello	Graney	Marshall	Raplee	Wallace
Cottle	Greenwood	Martin	Roche	Weekes

Cowles	Griggs	Mason	Russell	Whipple
Crabtree	Guider	Matteson	Sage	Wicke
Cross	Hachemeis'r	McGuire	Schmid A F	Williams
Cullen	Haight	McLaughlin	Schmid F	Witter
Davis	Harburger	Meyer G W	Schultz	Wright
DeGraw				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Kavanaugh called up the bill (No. 1345) entitled "An act to amend section 3169 of the Code of Civil Procedure, relative to warrants of attachment in the City Court of The City of New York" (Int. No. 1066), and moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote upon the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 53 }

Those who voted in the affirmative, were

Addis	Cowles	Hays	Miller	Sloan
Adler	Cross	Hill	Murphy	Smith E L
Allds	DeGraw	Hoes	Nixon	Stedman
Armstrong	Delaney	Holbert	Paris	Stoneman
Axtell	Dutton	Ives	Patton	Taylor
Baker	Eldridge	Johnson	Perkins	Ten Eyck
Bondy	Ellis	Kavanaugh	Peterson	Tremper
Brennan EC	Evarts	Kelsey	Pierce	Tripp
Brewster	Fish	Litchard	Post	Van Rensselaer
Burr	Fordyce	Lowenthal	Raplee	Vincent
Clark A L	Fuller	Martin	Roche	Wallace
Clark C J	Goodsell	Mason	Russell	Whipple
Costello	Greenwood	Matteson	Schultz	Williams
Cottle	Hanna	McGuire	Sears	Witter
Coughtry	Hatch	Miles	Simmons	Zimmerman

Those who voted in the negative, were

Ackert	Finn	Haight	Myers J C	Schmid F
Brennen J F	Fitzgerald	Harburger	O'Connor	Schulum
Cain	Fritz	Hoffman	Oliver	Shoeneck
Chanler	Gale	Hubbard	Palmer	Sinsheimer
Collins	Gallagher	Kelly	Phillips	Sullivan
Crabtree	Gibney	Kullman	Redington	Tiffany
Davis	Glaser	Mahar	Reisert	Van Hoesen
Dillon	Graney	Meyer G W	Sage	Weill
Donnelly	Green	Mitchell	Sanford	Wicke
Egan	Griggs	Mohring	Schmid A F	Wright
Farrell	Hachemeis'r	Mullany		

Pending the question on the third reading of said bill,
On motion of Mr. Nixon, the House took a recess until 4 o'clock
p. m.

FOUR O'CLOCK P. M.

The House again met.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree
to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the
following members responded:

Ackert	Donnelly	Hoffman	Murphy	Simmons
Addis	Dutton	Holbert	Murray	Sinsheimer
Adler	Egan	Hubbard	Myers J C	Sloan
Allds	Eldridge	Hutton	Nixon	Smith E LaG
Armstrong	Ellis	Ives	Oliver	Stedman
Axtell	Evarts	Johnson	Palmer	Stoneman
Baker	Farrell	Kavanaugh	Paris	Streifler
Boland	Finn	Kelly	Patton	Sullivan
Bondy	Fish	Kelsey	Perkins	Taylor
Brennen J F	Fitzgerald	Kullman	Peterson	Ten Eyck
Brewster	Fordyce	Laimbeer	Phillips	Tiffany
Burr	Fritz	Litchard	Pickett	Tompkins
Cain	Fuller	Lowenthal	Pierce	Trainor
Chanler	Gale	Mahar	Post	Tremper
Clark A L	Gibney	Maloney	Raplee	Tripp
Clark C J	Glaser	Marshall	Redington	Van Hoesen
Collins	Goodsell	Martin	Reisert	Van Rens'aer

Costello	Graney	Mason	Roche	Vincent
Cottle	Green	Matteson	Russell	Vroman
Coughtry	Greenwood	McEwan	Sage	Wallace
Cowles	Griggs	McKeown	Sanford	Weekes
Crabtree	Guider	McLaughlin	Schmid A F	Weill
Cross	Hachemeis'r	Meyer G W	Schmid F	Whipple
Cullen	Haight	Miles	Schultz	Wicke
Dale	Hanna	Miller	Schulum	Williams
Davis	Harburger	Mitchell	Sears	Witter
DeGraw	Hatch	Mohring	Seligsberg	Wright
Delaney	Hays	Mullany	Shoeneck	Zimmerman
Dillon	Hill			142

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Gallagher, Hoes and E. C. Brennan.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House resumed consideration of the pending question, being the bill (No. 1345) entitled "An act to amend section 3169 of the Code of Civil Procedure, relative to warrants of attachment in the City Court of The City of New York." (Int. No. 1066.)

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 53 }

Those who voted in the affirmative, were

Addis	Cross	Hoes	Miller	Stedman
Allds	DeGraw	Holbert	Murphy	Stoneman
Armstrong	Delaney	Ives	Nixon	Taylor
Axtell	Dutton	Johnson	Paris	Ten Eyck
Baker	Eldridge	Kavanaugh	Patton	Tremper
Boland	Ellis	Kelsey	Perkins	Tripp
Bondy	Evarts	Litchard	Peterson	Van Rens'aer
Brennan EC	Fish	Lowenthal	Pierce	Vincent
Brewster	Fordyce	Martin	Post	Vroman
Burr	Fuller	Mason	Raplee	Wallace
Clark A L	Goodsell	Matteson	Russell	Whipple
Clark C J	Greenwood	McEwan	Sears	Williams
Costello	Hanna	McGuire	Simmons	Witter
Cottle	Hatch	McLaughlin	Sloan	Zimmerman
Coughtry	Hays	Miles	Smith ELA	Speaker
Cowles	Hill			

Those who voted in the negative, were

Ackert	Egan	Guider	Mitchell	Schmid F
Brennen J F	Farrell	Hachemeis'r	Mohring	Schultz
Cain	Finn	Harburger	Mullany	Schulum
Chanler	Fitzgerald	Hoffman	Myers J C	Seligsberg
Collins	Fritz	Hubbard	Oliver	Sinsheimer
Crabtree	Gale	Hutton	Phillips	Sullivan
Cullen	Gallagher	Kelly	Redington	Tiffany
Dalé	Gibney	Kullman	Reisert	Trainor
Davis	Glaser	Mahar	Sage	Weill
Dillon	Graney	Maloney	Sanford	Wright
Donnelly	Green	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Nixon, from the committee of conference, to which was referred the bill (No. 1276, Senate reprint No. 1877) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 388) presented the following report:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference

arising between the two Houses upon the Assembly bill (No. 1276, Senate reprint No. 1877) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Rec. No. 388), report that they have duly conferred upon said matters, and agreed to recommend as follows:

The committee recommend that the following amendments be concurred in:

Page 2, after end of line 16, insert the following:

"EXECUTIVE DEPARTMENT.

"The sum of one hundred and seventy-five dollars, being the amount paid by the Governor for the expenses of the investigation of the superintendent of public buildings, and paid from the appropriation for expenses of the Governor's office, is hereby appropriated to reimburse expenses of the said office.

"COURT OF APPEALS.

"For compensation of clerks of judges of the court of appeals and for expenses incurred pursuant to chapter two hundred and twenty-one of the laws of eighteen hundred and ninety-seven, the sum of eight thousand four hundred dollars, or so much thereof as may be necessary.

"For the expenses of the judges of the court of appeals for the year eighteen hundred and ninety-eight, eleven thousand nine hundred dollars and annually hereafter a like sum shall be allowed for the same purpose, in addition to that now provided by law."

Page 7, line 19, strike out the word "twenty-five" and insert the word "ten."

Page 8, line 13, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 9, line 9, strike out the word "six" and insert the word "three."

Page 10, line 14, strike out the word "two" and insert the word "four."

Same page, after the word "assembly" insert the following:

"For the comptroller, for the payment of interest at three and one-half per cent for one year, on four hundred thousand dollars of Adirondack park bonds, issued pursuant to chapter two hundred and twenty of the laws of eighteen hundred and ninety-seven, fourteen thousand dollars, or so much thereof as may be necessary."

"To the comptroller, two thousand dollars, or so much thereof as may be necessary to reimburse the town of Elko, Cattaraugus county, for damages and expenses paid or incurred by the town on account of the fall on October twenty-eight, eighteen hundred and ninety-three, of a state bridge across the Allegheny river in that town upon the Allegheny Indian reservation, to be paid by the comptroller to the supervisor of the said town, or on his order, upon

his filing with the comptroller a release of all claims for damages or otherwise against the state on account of the fall of the said bridge.

“For the comptroller for the repayment of moneys uncollected, which were assessed on certain railroad corporations, pursuant to chapter three hundred and fifty-three of the laws of eighteen hundred and eighty-two, and section one hundred and seventy, chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, and the several acts amendatory thereof and supplemental thereto, the sum of three thousand five hundred and eighteen dollars and fifty-nine cents, to be refunded to the treasurer by the several corporations owning or operating railroads in this state, in such manner as is prescribed by law.”

Page 12, line 11, strike out the word “ten” and insert the word “seven.”

Same page, line 16, after the word “dollars” insert :

“For the state engineer and surveyor for traveling expenses and disbursements and for expenses incurred by his department in making examinations, surveys and maps and for restoring and placing monuments on the boundary lines of the state, pursuant to chapter four hundred and twenty-one, laws of eighteen hundred and eighty-seven, the sum of six thousand eight hundred dollars, payable from the general fund.

“To the state engineer and surveyor the sum of two thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of the moneys not otherwise appropriated, to repair and preserve the highway known as the ‘State Road,’ in the town of Colton, Saint Lawrence county, said moneys to be expended under the supervision and direction of the state engineer and surveyor.”

Page 13, line 10, after the word “general” insert the following :

“For the payment to Louis Diamant for his services and disbursements as counsel to the attorney-general in the matter of the charges preferred against Edward J. H. Tamsen as sheriff of the county and city of New York, pursuant to an order of the governor, dated the eighteenth day of February, eighteen hundred and ninety-six, the sum of twelve hundred dollars, or so much thereof as may be necessary, to be paid on the certificate of the attorney-general to the order of the comptroller.”

Same page, line 12, after the word “Batavia” insert the words “the following items or so much thereof as may be necessary.”

Page 14, line 12, after the word “dollars” insert the words “or so much thereof as may be necessary.”

Same page, line 13, after the word “for” strike out the words “office expenses” also, strike out the words “et cetera” and insert the words “and other necessary expenses.”

Same page, line 14, after the word “dollars” insert the words “or so much thereof as may be necessary.”

Page 15, end of line 2, insert the following :

“For fisheries, game and forest commission, for services and disbursements of counsel in proceedings brought under chapter three hundred and ninety-two of the laws of eighteen hundred and ninety-

seven, and in the defense of actions brought to restrain the same, the sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated.

“For the fisheries, game and forest commission, for an exhibit at the New York state fair of eighteen hundred and ninety-eight of the various species of fish and showing the propagation of same, and for a forestry exhibit the sum of five hundred dollars.

“For counsel fees incurred by the forest commission of the state of New York and the members thereof in defending the action of George C. Sherman against the Adirondack railroad company and others, one thousand dollars to be audited by the commissioners of fisheries, forest and game.

“For the commissioners of fisheries, game and forest, ten thousand dollars for docks and improvements upon the state lands in the state reservation on the Saint Lawrence river.”

Same page, strike out all of lines 22, 23, 24, 25 and 26.

Page 17, line 25, after the word “dollars” insert:

“The sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purpose of dredging the Cayuga and Seneca canals and for the removal of bars and other obstructions in the canal below the first mud lock and the lock at the beginning of the canal near the lake. Said moneys to be expended under the direction of the superintendent of public works.

“Superintendent of public works for the construction of a highway and the necessary slices upon the Tonawanda Indian reservation, in the county of Genesee, at the westerly end of the Judge road, so-called, to and across Oak Orchard creek feeder and gates thereof, and for the building of bridges and betterments of the highway already constructed on said reservation, the sum of one thousand dollars, or so much thereof as may be necessary.

“For the superintendent of public works, for the repairs of highways on the Onondaga Indian reservation, to be expended under the direction of the superintendent of public works on the roads known as the ‘Quarry,’ ‘Cardiff,’ ‘South Hollow,’ ‘William Hill’ and ‘Albert Everingham’ roads, the sum of two thousand dollars, or so much thereof as may be necessary.

“The sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated to repair the highways on the Indian reservation in the township of Salamanca, said moneys to be expended under the direction of the superintendent of public works.

“For the purpose of building dams supplemental to the state dam on Beaver river, seven thousand dollars; for building keeper’s house, fifteen hundred dollars; for paying deficiencies and expenditures of the commissioners appointed by chapter one hundred and sixty eight of the laws of eighteen hundred and ninety-four, fifteen hundred dollars. Said moneys to be expended by said commissioners under the supervision of the superintendent of public works, but no dam shall be erected except the plans therefor have been approved by the forest preserve board.”

Page 18, line 12, after the word “dollars” insert:

"PUBLIC INSTITUTIONS.

"To the board of managers of the State Custodial Asylum for Feeble Minded Women, for the purpose of building a cottage dormitory similar to the 'D' building now in use, which the managers shall be allowed to build without reference to section six, chapter eighty-four of the laws of eighteen hundred and ninety-five, and furnishing, heating, lighting and equipping the same for the accommodation of not less than fifty inmates, eighteen thousand dollars, or so much thereof as may be necessary. For maintenance, five thousand dollars, or so much thereof as may be necessary.

"For the Thomas Asylum, orphan and destitute Indian children, for furnishing new administration building, two thousand dollars, and for finishing cow barn seven hundred dollars, or so much thereof as may be necessary.

"The sum of forty-two dollars, being the amount now in the treasury of the Woman's monument fund, created by chapter one hundred and ninety-six of the laws of eighteen hundred and eighty-six, is hereby appropriated, and shall be paid to the trustees of the Soldiers and Sailors' Home at Bath, pursuant to the provisions of said act.

"For the Western House of Refuge for Women at Albion, for raising roof of the storehouse and making other necessary changes for use of an assembly room and other purposes, three thousand dollars, and for addition to the present power house of an electric light plant and carpenter shop, two thousand dollars; and for the equipment of extraordinary repairs, one thousand dollars, and for recovering steam pipes, five hundred dollars, or so much thereof as may be necessary.

"For the Syracuse State Institution for Feeble-Minded Children, to be expended under the direction of the local board of managers for excavation for and the construction of an underground tunnel or conduit for the steam and other pipes between the boys building and the stable fourteen hundred dollars, and for new floors and steel ceiling in various parts of the building one thousand dollars, or so much thereof as may be necessary, said sums to be paid from the unexpended balance October first, eighteen hundred and ninety-seven, of the appropriation of eighty-one thousand dollars made by chapter nine hundred and forty-eight of the laws of eighteen hundred and ninety-six for the maintenance and ordinary repairs to said institution which unexpended balance is hereby reappropriated."

Page 19, after the word "reservation" insert the following:

"For the commissioners of the state reservation at Niagara, for the construction of a rustic stone arch bridge from Goat Island to the first Sister Island in the reservation, upon a plan to be approved by the state engineer and surveyor and for other improvements in the reservation, the sum of fifteen thousand dollars."

Page 20, line 2, after the word "law" insert the following:

"To Charles A. Weiting in lieu of and in full of all traveling and other expenses incurred by him as commissioner of agriculture for the year beginning May first, eighteen hundred and ninety-eight, the sum of five hundred dollars, payable in equal monthly

installments from the moneys appropriated to pay the expenses of the department of agriculture.

"To George L. Flanders, in lieu of and in full of all traveling and other expenses incurred by him as assistant commissioner of agriculture for the year beginning May first, eighteen hundred and ninety-eight, the sum of five hundred dollars, payable in equal monthly installments from the moneys appropriated to pay the expenses of the department of agriculture.

"For the New York State Agricultural Experiment Station at Geneva, for the expense of bulletins and of enforcing the provisions of the law in relation to commercial fertilizers as shall be authorized by the board of control, pursuant to chapter four hundred and thirty-seven, laws of eighteen hundred and ninety, the sum of ten thousand dollars, or so much thereof as may be necessary."

Same page line 6, after the word "for" insert the words "the following items or so much thereof as may be necessary."

Page 22, line 23, after the word "of" strike out the word "three" and insert the word "two."

Same page, line 25, after the word "library" insert:

"For maintenance of the libraries of the appellate division and trial terms of the supreme court of the first judicial department, two thousand dollars."

Page 23, line 2, after the word "of" strike out the word "three" and insert the word "two."

Same page, line 8, after the word "of" strike out the word "three" and insert the word "two."

Same page, line 19, after the word "criminals" insert the words "the following items, or so much thereof as may be necessary."

Page 25, line 15, after the word "and" strike out the word "forty-eight" and insert the word "fifty."

Same page, line 17, after the word "reappropriated" insert the words "out of the free school fund."

Page 26, line 10, after the word "comptroller" insert:

"For the department of public instruction, for the payment of the necessary legal expenses and counsel fees in the defense of actions brought against the state superintendent in his official capacity, and also for the fees of counsel and legal expenses in the application of Frederick D. Light and others, and for a writ of certiorari to review the action and decision of the state superintendent of public instruction in the removal of the appellants from their office as members of the board of education of the town of Dunkirk, and for the printing and expenses upon appeal of said proceedings and necessary disbursements connected therewith, the sum of three thousand dollars, to be paid on the warrant of the comptroller upon the bills approved by the superintendent.

"For the use and improvement of the school and school house on the Onondaga Indian reservation, the sum of three hundred dollars, to be expended under the direction of the superintendent of public instruction."

Page 27, line 13, after the word "dollars" insert :

"For the state geologists for geological field work, the completion of the geological map of the state, examination of and reports upon limestones, waterlime, clays and other economic geological productions of the state, the sum of three thousand dollars, payable on the certificate of the state geologist and the audit of the comptroller."

Same page, line 26, after the word "necessary" insert :

"For the painting and decorating rooms of the court of appeals, for replacing broken plate glass in exterior windows, the work to be done under the supervision of the superintendent of public buildings the sum of one thousand five hundred dollars, or so much thereof as may be necessary."

"To the superintendent of public buildings, for the purpose of reconstructing the elevators on the south side of the capitol and furnishing and erecting four ornamental elevator fronts and mechanical indicators as well as the sliding doors for the two upper floors in accordance with the designs and specifications submitted by Otis Brothers and company on February the second, eighteen hundred ninety-eight, the sum of nineteen thousand seven hundred dollars is hereby appropriated and the superintendent of public buildings is authorized and directed to enter into contract with Otis Brothers and company for the said work in accordance with the above plans and specifications, not exceeding the sum hereby appropriated."

Page 28, line 17, after the word "Rochester" insert the words "the following items or so much thereof as may be necessary."

Page 29, line 13 after the word "thousand" strike out the word "four" and insert the word "six."

Page 30, line 2, after the word "for" insert :

"PUBLIC BUILDINGS.

"For the balance due for work in repairing interior and exterior of the state hall, to be paid on the approval of the comptroller, superintendent of the banking department and state engineer and surveyor, the sum of six thousand nine hundred eighty-two dollars and seventeen cents, or so much thereof as may be necessary."

Same page, line 19, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 26, after the word "sary" insert the words "and so much of said twenty thousand dollars as may be necessary shall be used for the following purposes: For the necessary repairs and improvements of the state armory at Syracuse, five thousand dollars, and for the necessary repairs for the armory at Kingston to complete improvement to building now in progress, for change in partitions and other betterments, the sum of fifteen hundred dollars."

Page 31, line 17, after the word "necessary" insert :

"For the adjutant-general, for completing the armory, the grading of grounds and construction of granolithic walks at the state armory at Olean, N. Y., the sum of six hundred and twenty-five dollars."

"For the adjutant-general, to make good the deficiency now existing for replacing uniforms, overcoats, trousers, blouses, blankets and equipment worn out in service and to complete the necessary equipment for field service and medical outfit, to be expended as provided by the military code, the sum of one hundred and twenty-five thousand dollars, or so much thereof as may be necessary.

"For the adjutant-general, for services and necessary traveling expenses in prosecuting war claims of the state against the United States under his direction, six thousand dollars, or so much thereof as may be necessary, to be approved by the governor as commander-in-chief.

"For the acquisition of a piece of land about sixty-six feet front and one hundred and twenty-five feet deep, located on the east side of Academy street in the village of Oneonta, for the use of the state armory in such village, the sum of three thousand dollars, or so much thereof as may be necessary, and the adjutant general, inspector-general and chief of ordnance, who are appointed a commission for the purpose hereof, are hereby authorized to acquire such lands for and in the name of the state by purchase or condemnation, the title to which shall be approved by the attorney-general.

"The sum of seven thousand seven hundred and fifty dollars and eleven cents being the unexpended balance of appropriation of twenty thousand dollars made by chapter nine hundred and fifty of the laws of eighteen hundred and ninety-six for repairs improvements and betterments of the state arsenals, armories, state camp and rifle ranges at Creedmore and throughout the state, is hereby reappropriated for the same purposes.

"For D. W. Barnes & Son, for rebate on their contract of August tenth, eighteen hundred and ninety-five, for repairs of Auburn armory by reason of the loss of old material of two-thirds of two stores, and of building necessarily left standing and for repairing roof over said stores, the sum of three hundred and seventy-nine dollars and four cents, or so much thereof as may be necessary, to be paid on the certificate of the armory commission.

"NAVAL MILITIA.

"For the naval militia, for expenses in coast defense and for chartering tugs and other vessels, twelve thousand nine hundred and twenty-seven dollars and fifty cents; for uniforming the second battalion and special or engineers divisions, and for other organizations and other general expenses, twenty-two thousand seventy-two dollars and fifty cents, or so much thereof as may be necessary, such expenditures to be made on the approval of the commander-in-chief and audit of the comptroller."

Page 34, line 12, after the word "Geneseo" strike out remainder of the line.

Same page, line 15, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 35, line 7, after the word "floor" strike out the word "et cetera" and insert the words "and other repairs."

Same page, line 14, after the word "cents" insert:

"For the salary of superintendent, compensation of clerks and other persons employed and necessary expenses of the Onondaga salt springs, twenty thousand dollars, pursuant to chapter two hundred and sixty-one of the laws of eighteen hundred and ninety-seven.

"For William Thomas, for service as stenographer for the senate during the session of eighteen hundred and ninety-eight, one hundred dollars.

"For extra services of J. D. Taylor, acting stenographer to the speaker of the assembly, for the session of eighteen hundred and ninety-seven and eighteen hundred and ninety-eight, the sum of one hundred and seventy-five dollars.

"For the care and treatment of indigent residents of the state of New York at the Pasteur institute of the city of New York at the rate of two hundred dollars for each patient so cared for and treated the sum of six thousand dollars, or so much thereof as may be necessary, to be paid upon the rendering of the accounts duly certified and after due audit by the comptroller.

"Swart Murphy, stenographer to the committee on taxation and retrenchment, four hundred and twenty-five dollars.

"For Caroline Austin Sickles, widow of the late Hiram E. Sickles reporter of the court of appeals, who died July four, eighteen hundred and ninety-five, so much of the annual compensation of the said reporter for the year eighteen hundred and ninety-five as would have been earned by him had he continued to live until the close of the year, the sum of two thousand four hundred and forty-five dollars and twenty cents.

"The sum of fifteen thousand dollars is hereby appropriated for the expenses of the commissioners appointed by the governor to investigate the expenditures of the nine million dollar canal appropriation, or so much thereof as may be necessary.

"For the faculty of the medical department of the university of Buffalo for the equipment and maintenance of a laboratory to be devoted to an investigation into the causes, nature, mortality rate and treatment of cancer; and the salaries of officials of the same, ten thousand dollars; same to be paid upon vouchers officially signed by the director of the said laboratory, or, in his absence, by the secretary and treasurer of the faculty.

"For the salary of the custodian of the Grant cottage, as provided by chapter six hundred and sixty-seven of the laws of eighteen hundred and ninety six, the sum of one thousand dollars. For repairs to the Grant cottage situate on Mount McGregor, the sum of three hundred dollars.

"For the board of examiners of improved fire arms for the use of the military of this state, for expenses and disbursements, the sum of fifty dollars, or so much thereof as may be necessary, in pursuance

of chapter six hundred and of the laws of eighteen hundred and ninety-five and chapter one hundred and ninety-seven of the laws of eighteen hundred and ninety-six.

“For the stenographer of the Senate finance committee the sum of six hundred dollars.”

Page 35, line 19, after the word “necessary” insert the words:

“For the superintendent of public instruction for the payment of fees of county treasurers for receiving and disbursing the state school tax for the years eighteen hundred and ninety-seven and eighteen hundred and ninety-eight the sum of twenty thousand dollars, or so much thereof as may be necessary.

“For the American Museum of Natural History in the city of New York for continuing the instruction of natural history, geography and kindred subjects to the several state normal schools, the normal college of the city of New York, the training school for teachers in the city of Brooklyn, the teachers institute in the different counties of the state, and to the teachers in the common schools of the city of New York, Brooklyn and vicinity, as per contract entered into between the state superintendent of public instruction and the American Museum of Natural History of the city of New York as authorized by chapter ninety seven of the laws of eighteen hundred and ninety-seven, eighteen thousand dollars.”

Page 38, line 12, after the word “comptroller” insert the words:

“Moneys herein appropriated for the repair, improving, furnishing or building of state institutions or for the purchase or improvement of the grounds thereof, shall only be advanced to the several boards of managers of state institutions as the work progresses, or the purchase is made and upon bills duly certified rendered and audited.”

The committee also recommends the adoption of the following amendments as further amended by the committee of conference:

Page 10, line 22, after the word “necessary” insert the following:

“To the comptroller to pay for services of the clerk to the president of the senate and for services of the clerk to the speaker of the assembly, one thousand dollars each for the year eighteen hundred and ninety-eight, to be paid on the certificate of the president of the senate and speaker of the assembly.”

Page 12, line 18, strike out the word “four” and insert the word “five.”

Page 17, line 25, after the word “dollars” insert the following:

“The sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated from the canal fund to pay for the services and disbursements incurred by the agent employed by the superintendent of public works, on request of the attorney-general, as provided in section two hundred and seventy of the code of civil procedure, in defense of claims against the state on accounts of the canals; such sums to be advanced to said agent by the comptroller, upon his filing with the comptroller a good and sufficient bond in

the sum of ten thousand dollars for the same. But no account for such services, disbursements and expenses shall be paid until the same has been presented to and approved by the canal board."

After item for Tonawanda Indian reservation insert the following:

"Superintendent of public works the sum of seven thousand dollars, or so much thereof as may be necessary, to complete bridge over Erie canal at Fitzhugh street, Rochester, as authorized by chapter thirty-two of the laws of eighteen hundred and ninety-seven, the cost of operating said bridge to be a charge upon the city of Rochester."

Same page insert:

"For the superintendent of public works, for the completion, extension and construction of a bridge over the canal feeder at Medina, as provided in chapter seven hundred and ninety-one of the laws of eighteen hundred and ninety-six, the sum of three thousand dollars. No part of the money hereby appropriated shall be available until after the execution of a contract by a responsible party to said superintendent of public works for the completion of the said bridge at a cost within the said appropriation, and the filing of the said contract with the comptroller."

Same page, insert:

"For the superintendent of public works for completing the capitol, preparing, filling in, grading and sodding the grounds surrounding the same and for the construction and laying of walks therein and for sundry expenses connected therewith, the sum of eighty-four thousand dollars, or so much thereof as may be necessary."

Page 18, insert:

"The sum of eight thousand six hundred thirty-two and seven one-hundredths dollars being a portion of the unexpended balance of the appropriation of two hundred thousand dollars made by chapter nine hundred and forty-eight of the laws of eighteen hundred and ninety-six for the maintenance and ordinary repairs for the New York state reformatory at Elmira, is hereby reappropriated for securing additional facilities and instructions in the manual, technological and letters schools of said institution."

Page 19, line 16, after the word "dollars" insert the words "and for the purpose of investigation and extermination of the San Jose scale, the sum of ten thousand dollars, or so much thereof as may be necessary."

Page 24, after the word "quarantine" insert the words "for the board of commissioners of quarantine the following items, or so much thereof as may be necessary, three thousand dollars for the care and maintenance of grounds, buildings and boats of the health officers' department at the quarantine station on Staten Island; for repairing walls damaged by the sinking of foundation and repairing foundation, two thousand one hundred and thirty dollars; for painting the outside of buildings on Hoffman Island, eighteen hundred dollars; for care and maintenance, twenty thousand dollars."

Page 27, line 20, after the word "law" add a semicolon and the words "and for necessary traveling expenses, and for the purchase of law and statistical books, the sum of two hundred and fifty dollars, or so much thereof as may be necessary."

Page 35, insert the following:

"For the superintendent of the state land survey for surveying and fixing the line between the counties of Herkimer and Lewis with the general work of the State land survey, the sum of ten thousand dollars, or so much thereof as may be necessary, payable out of the appropriation of twenty-five thousand dollars to said superintendent for continuing the work of the state land survey for the years eighteen hundred and ninety-eight and eighteen hundred and ninety-nine, and the said superintendent is hereby directed to survey, establish and mark said county line."

The committee recommend that the senate recede from the following amendments:

Page 14, strike out lines 22, 23, 24 and 25.

Page 15, strike out lines 1 and 2.

Same page, strike out lines 9, 10 and 11.

Page 17, line 16, after the word "him" insert the words "payable from the canal fund."

Page 19, line 23, strike out the word "twenty" and insert the word "fifteen."

Page 20, after the words "department of agriculture," in Flander's item, insert the following:

"For the commissioner of agriculture, for expenses and for the continuance and extension of the work of his department pursuant to the provisions of chapter three hundred and thirty-eight of the laws of eighteen hundred and ninety-three and acts amendatory thereof to the close of the fiscal year, the sum of twenty-five thousand dollars."

Page 21, line 11, after the word "ninety-one" strike out the word "one" and insert the word "two," and after the word "thousand" insert the words "five hundred."

Same page, strike out lines 22, 23, 24 and 25, and insert in place thereof: "The regents of the university, for finishing and furnishing the fifth floor of the west end of the capitol, including sheiving, ceiling to room fifty-four, tables, chairs, ventilators, double windows, radiators, carpeting and other items necessary to make available for immediate use, five thousand dollars, or so much thereof as may be necessary."

Page 23, line 13, strike out the word "three" and insert the word "two."

Page 27, strike out lines 15, 16, 17, 18, 19 and 20, and insert in place thereof the words "for the board of railroad commissioners, for an electrical expert, for the necessary traveling expenses, and for the purchase of law and statistical books the sum of four thousand

two hundred and fifty dollars, this amount to be paid by the comptroller, upon the requisition of the board of railroad commissioners, and to be refunded to the treasury by the several corporations owning or operating railroads in this state and in such manner and proportion as is prescribed by law."

Page 29, strike out lines 19, 20, 21, 22, 23 and 24.

Page 30, strike out lines 3, 4, 5, 6 and 7.

Page 31, strike out lines 18, 19, 20 and 21.

F. W. HIGGINS,
JOHN W. RAINES,
JACOB A. CANTOR,

S. F. NIXON,
GEO. M. PALMER,
OTTO KELSEY,
J. P. ALLDS,
THOS. F. DONNELLY,

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of third reading.

The Senate returned the bill (No. 906, Senate reprint No. 1160) entitled "An act to amend the Lien Law, in relation to the filing of notice" (Int. No. 255), with a message that they have concurred in the passage of the same, with the following amendment:

Section 1, line 1, strike out the word "two" and insert the word "ten" in lieu thereof.

Mr. Crabtree moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Miller	Sears
Addis	Dutton	Hill	Mohring	Seligsberg
Adler	Egan	Hoes	Mullany	Simmons
Allds	Eldridge	Holbert	Murphy	Sloan
Axtell	Ellis	Hubbard	Murray	Smith E LaG
Baker	Evarts	Hutton	Myers J C	Stedman
Boland	Finn	Johnson	O'Connor	Stoneman
Bondy	Fish	Kavanaugh	Oliver	Streifler

Brennen J F	Fordyce	Kelly	Paris	Sullivan
Brewster	Fritz	Kullman	Patton	Ten Eyck
Brown	Fuller	Litchard	Perkins	Tiffany
Cain	Gallagher	Lowenthal	Peterson	Tompkins
Chanler	Gibney	Mahar	Phillips	Tremper
Clark A L	Goodsell	Maloney	Pickett	Tripp
Collins	Graney	Marshall	Pierce	Van Rens'aer
Costello	Green	Martin	Raplee	Vincent
Coughtry	Greenwood	Mason	Redington	Vroman
Cowles	Griggs	Matteson	Reisert	Weekes
Crabtree	Guider	McEwan	Roche	Weill
Cross	Hachemeis'r	McGuire	Sage	Wicke
Cullen	Haight	McLaughlin	Schmid A F	Williams
Dale	Harburger	Meyer G W	Schultz	Witter
DeGraw	Hatch	Miles	Schulum	Wright
Delaney				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1302, Senate reprint No. 1158) entitled "An act making an appropriation for the proper equipment, improvement and betterment of the Rome State Custodial Asylum, and to erect additional buildings therefor" (Int. No. 303), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

"Section 1. The following sums or so much thereof as may be necessary are hereby appropriated out of any moneys in the treasury not otherwise appropriated for the Rome State Custodial Asylum, to be expended under the direction of the board of managers of the said asylum as follows: For one brick building, for the accommodation of one hundred inmates and employes, thirty-five thousand dollars; for electric lighting, plumbing, heating and completion of administration building, seven thousand dollars; for plumbing, lighting and completing kitchen building, eight thousand dollars; for furnishing and furniture, fifteen hundred dollars; for fire apparatus, five hundred dollars; for fire escapes, five hundred dollars; for completing boiler house, chimney and conduits, three thousand one hundred and sixty-two dollars and sixty-one cents; for grading grounds and laying walks, one thousand dollars; for water supply, for fire and domestic purposes, eleven thousand eight hundred and fifty dollars; for telephone exchange, three hundred dollars; for coal sheds, three hundred dollars.

“§ 2. Said sums appropriated by section one shall be paid by the treasurer of the state to the treasurer of said asylum upon warrants of the comptroller, after contracts for said sums have been submitted to and duly approved by the comptroller for the completion of such specified purposes within the amount appropriated therefor.”

Mr. Mason moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hanna	Miller	Sears
Addis	Delaney	Harburger	Mitchell	Shoeneck
Adler	Dillon	Hays	Mohring	Simmons
Allds	Donnelly	Hill	Mullany	Sinsheimer
Armstrong	Egan	Hoes	Murray	Smith E LaG
Axtell	Eldridge	Holbert	Myers J O	Stedman
Baker	Ellis	Hubbard	Nixon	Stoneman
Boland	Evarts	Ives	O'Connor	Streifler
Bondy	Farrell	Johnson	Palmer	Sullivan
Brennan E C	Finn	Kelly	Paris	Taylor
Brennen J F	Fitzgerald	Kelsey	Patton	Tiffany
Brewster	Fordyce	Laimbeer	Perkins	Tompkins
Brown	Fritz	Litchard	Phillips	Trainor
Cain	Fuller	Lowenthal	Pierce	Tremper
Chanler	Gale	Mahar	Post	Van Hoesen
Clark C J	Gallagher	Maloney	Raplee	Van Rens'aer
Collins	Gibney	Marshall	Redington	Vroman
Costello	Glaser	Martin	Reisert	Wallace
Cottle	Goodsell	Mason	Roche	Weekes
Coughtry	Green	Matteson	Russell	Weill
Cowles	Greenwood	McEwan	Sage	Whipple
Crabtree	Griggs	McKeown	Sanford	Wicke
Cross	Guider	McLaughlin	Schmid F	Witter
Cullen	Hachemeis'r	Meyer G W	Schultz	Wright
Dale	Haight	Miles	Schulum	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1229, Senate reprint No. 1159) entitled "An act to amend section 616 of the Code of Criminal Procedure, in relation to witnesses' fees" (Int. No. 491) with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

"§ 616. Fees of witnesses in behalf of the people.—When a person attends before a magistrate, grand jury or court as a witness on behalf of the people, upon a subpoena, or pursuant to an undertaking, the court may, in its discretion, by an order entered upon its minutes, or in any other case, the county judge, or in The City of New York, the recorder or city judge, or judge of the general sessions of that city, allow such witness a reasonable sum for his expenses, to be specified in the order.

"§ 2. This act shall take effect September first, eighteen hundred and ninety-eight."

Mr. Nixon moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Haight	McKeown	Schmid A F
Addis	Delaney	Hanna	McLaughlin	Schmid F
Adler	Dillon	Harburger	Meyer G W	Schultz
Allds	Donnelly	Hatch	Miles	Schulum
Armstrong	Dutton	Hays	Miller	Sears
Axtell	Egan	Hill	Mitchell	Seligsberg
Baker	Eldridge	Hoes	Mohring	Shoeneck
Boland	Ellis	Hoffman	Mullany	Sinsheimer
Bondy	Evarts	Holbert	Murphy	Smith E LaG
Brennan EC	Farrell	Hubbard	Murray	Stedman
Brennen J F	Finn	Hutton	Myers J C	Stoneman
Brewster	Fish	Ives	Nixon	Sullivan

Brown	Fitzgerald	Johnson	O'Connor	Taylor
Burr	Fordyce	Kavanaugh	Oliver	Ten Eyck
Cain	Fritz	Kelly	Palmer	Tiffany
Chanler	Fuller	Kelsey	Paris	Trainor
Clark A L	Gale	Kullman	Patton	Tremper
Clark C J	Gallagher	Laimbeer	Perkins	Van Hoesen
Collins	Gibney	Litchard	Peterson	Van Rens'aer
Costello	Glaser	Lowenthal	Phillips	Vroman
Cottle	Goodsell	Mahar	Post	Wallace
Coughtry	Graney	Maloney	Raplee	Weekes
Cowles	Green	Marshall	Redington	Weill
Crabtree	Greenwood	Martin	Reisert	Whipple
Cross	Griggs	Matteson	Roche	Williams
Cullen	Guider	McEwan	Sage	Witter
Dale	Hachemeis'r	McGuire	Sanford	Wright
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendment.

The Senate returned the bill (No. 1489, Senate reprint No. 1157) entitled "An act to amend the Agricultural Law, in relation to penalties" (Int. No. 766), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 9, strike out the words "this article" and insert the words "articles two and three."

Page 2, line 14, strike out the word "article" and insert the word "articles;" also after the word "two" insert the words "and three."

Same page, line 20, after the word "offense" strike out balance of section.

Mr. McGuire moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Miles	Sears
Addis	Egan	Hoffman	Miller	Seligsberg
Adler	Eldridge	Holbert	Mitchell	Simmons
Allds	Ellis	Hubbard	Mohring	Sinsheimer
Armstrong	Evarts	Hutton	Mullany	Sloan
Axtell	Finn	Ives	Murphy	Smith E LaG
Baker	Fish	Johnson	Murray	Stedman
Bondy	Fordyce	Kavanaugh	Myers J C	Stoneman
Boland	Fritz	Kelly	Nixon	Sullivan
Brennan E C	Fuller	Kelsey	O'Connor	Taylor
Brennen J F	Gallagher	Kullman	Palmer	Tiffany
Brewster	Gibney	Laimbeer	Paris	Trainor
Brown	Glaser	Litchard	Patton	Tremper
Cain	Goodsell	Lowenthal	Perkins	Tripp
Chanler	Graney	Mahar	Peterson	Van Hoesen
Clark A L	Green	Maloney	Pickett	Vincent
Clark C J	Greenwood	Marshall	Post	Vroman
Collins	Griggs	Martin	Raplee	Weekes
Costello	Guider	Mason	Redington	Weill
Coughtry	Haight	Matteson	Reisert	Whipple
Cowles	Hanna	McEwan	Russell	Wicke
Crabtree	Harburger	McGuire	Sage	Williams
Cullen	Hatch	McKeown	Schmid A F	Witter
Dale	Hays	McLaughlin	Schmid F	Wright
Davis	Hill	Meyer G W	Schultz	Zimmerman
Dillon				

Ordered. That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in their amendments.

The Senate sent for concurrence the bill (No. 1144) entitled "An act to provide for the extraordinary repairs and improvements of existing mechanical and other structures and work on and connected with the canals of the State" (Rec. No. 409), which was read the first time.

On motion of Mr. Hill, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Hill, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoffman	Mitchell	Sears
Addis	Egan	Holbert	Mullany	Shoeneck
Adler	Eldridge	Hubbard	Murphy	Simmons
Alds	Ellis	Hutton	Murray	Sloan
Armstrong	Finn	Ives	Myers J C	Smith E LaG
Axtell	Fish	Johnson	Nixon	Stedman
Baker	Fitzgerald	Kavanaugh	Oliver	Stoneman
Boland	Fordyce	Kelly	Palmer	Streifler
Bondy	Fuller	Kelsey	Paris	Sullivan
Brennan EC	Gale	Laimbeer	Perkins	Ten Eyck
Brennen J F	Gallagher	Litchard	Peterson	Tompkins
Brown	Gibney	Lowenthal	Phillips	Trainor
Cain	Glaser	Mahar	Pickett	Tremper
Chanler	Graney	Maloney	Pierce	Tripp
Clark A L	Green	Marshall	Post	Van Rens'aer
Collins	Greenwood	Martin	Raplee	Vincent
Cottle	Guider	Mason	Reisert	Vroman
Coughtry	Hachemeister	Matteson	Roche	Weekes
Crabtree	Haight	McGuire	Russell	Weill
Cullen	Hanna	McKeown	Sage	Whipple
Dale	Hatch	Meyer G W	Schmid A F	Williams
Davis	Hays	Miles	Schmid F	Wright
Delaney	Hill	Miller	Schultz	Zimmerman
Dillon	Hoes			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That 3,200 additional copies of the third annal report of the State Historian be printed, of which 400 copies shall be distributed among the high school libraries of the State and 1 for each of the Grand Army Posts of the State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in in favor thereof.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Mohring	Sears
Addis	Dutton	Hoffman	Mullany	Seligberg
Adler	Egan	Holbert	Murray	Schoeneck
Allds	Ellis	Hutton	Myers J C	Sinsheimer
Armstrong	Evarts	Ives	Nixon	Sloan
Axtell	Finu	Johnson	O'Connor	Smith E LaG
Baker	Fish	Kelly	Oliver	Stedman
Boland	Fordyce	Kelsey	Palmer	Stoneman
Bondy	Fritz	Kullman	Patton	Streifler
Brennan E C	Fuller	Laimbeer	Perkins	Sullivan
Brennen J F	Gale	Lowenthal	Peterson	Ten Eyck
Brewster	Gallagher	Mahar	Phillips	Tiffany
Brown	Gibney	Maloney	Pickett	Tremper
Burr	Glaser	Marshall	Pierce	Van Hoesen
Cain	Goodsell	Martin	Post	Van Rens'aer
Clark A L	Graney	Mason	Raplee	Vroman
Clark C J	Green	Matteson	Redington	Wallace
Collins	Greenwood	McEwan	Reisert	Weill
Coughtry	Griggs	McGuire	Roche	Whipple
Cowles	Guider	McKeown	Sage	Wicke
Cross	Hachemeis'r	Meyer G W	Sanford	Williams
Cullen	Haight	Miles	Schmid A F	Witter
Davis	Hanna	Miller	Schmid F	Wright
DeGraw	Hays	Mitchell	Schultz	Zimmerman
Delaney	Hill			

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following:

Whereas, The commercial interests of the United States are suffering from the competition of foreign nations and by reason of a lack of foreign markets for our surplus manufacturing and agricultural products; and

Whereas, It is believed that our foreign commerce may be promoted and new markets opened by a change in the methods of our consular service; and

Whereas, A bill has been introduced in the House of Representatives by Mr. Adams to increase the efficiency of the foreign service of the United States, and to provide for the reorganization of the consular service, being House of Representatives bill No. 4354.

Resolved (if the Assembly concur), That our Senators and Representatives in Congress are hereby requested to support such measures or some measures of a similar character, and, if possible, secure its enactment into law.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 908) entitled "An act to amend chapter 738 of the Laws of 1897, entitled 'An act creating a board of assessors in and for the city of Utica and defining its powers'" (Int. No. 590), with a message that said bill was duly passed by the Senate March 8, 1898, and returned to the Assembly. Said bill was returned by the Assembly March 29, 1898, with a message that the same had been duly transmitted to the mayor of the city of Utica March 3, 1898, as provided by law, for a public hearing in said city, and was returned by said Mayor March 18, 1898, with a message that said bill had been duly accepted by the mayor of said city of Utica with the further message that said bill had not been accepted by a majority of the common council, the legislative body of said city. Said bill was thereafter, and on March 25, 1898, again duly passed by the Assembly, the Speaker stating the question to be "Shall this bill become a law notwithstanding the objections of the common council, the legislative body of said city of Utica, the same having been accepted by the mayor of said city", and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar

legislative days prior to its final passage. Said bill was thereafter, and on March 29, 1898, again duly passed by the Senate, the President stating the question to be "Shall this bill become a law notwithstanding the objections of the common council, the legislative body of said city of Utica, the same having been accepted by the mayor of said city," and it was decided in the affirmative, a majority of all the Senators voting in favor thereof, three-fifths being present, said bill having been printed and upon the desks of the Senators in its final form at least three calendar legislative days prior to its final passage.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution, relative to the Pan-American Exposition, with a message that they have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1224) entitled "An act to amend chapter 105 of the Laws of 1891, relating to the vacations and leave of absence of firemen" (Int. No. 484), for the purpose of transmitting the same to the city, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That Senate bill No. 271, entitled "An act to amend section 1353 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to the municipal court" (Rec. No. 37), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill No. 1055, entitled "An act to amend the Consolidated School Law, and the acts amendatory thereof, relative to library books" (Rec. No. 334), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Gale offered, for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1572) entitled "An act to amend chapter 667 of the Laws of 1868, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point,' and to repeal section 6 thereof" (Int. No. 1134), for the purpose of transmitting the same to the city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor Assembly bill (No. 1572) entitled "An act to amend chapter 667 of the Laws of 1868, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point,' and to repeal section 6 thereof" (Int. No. 1134), for the purpose of transmitting the same to the city, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 30, 1898.*

To the Assembly:

Pursuant to concurrent resolution, of the Senate and Assembly, herewith is returned Assembly bill (No. 1025) entitled "An act to

regulate the appointment and terms of office of commissioners of deeds in the cities of this State, situated in counties having a population of not less than 300,000, and not more than 550,000, according to the last State or Federal enumeration " (Int. No. 653) for the purpose of transmitting to the city.

FRANK S. BLACK.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Mr. Nixon offered, for the consideration of the House, a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1807) entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' by adding thereto a new title, to be known as title thirty-two " (Int. No. 1333), for the purpose of transmitting the same to the city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor Assembly bill (No. 1807) entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' by adding thereto a new title, to be known as title thirty-two " (Int. No. 1333, for the purpose of transmitting the same to the city, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 30, 1898.*

To the Assembly:

Pursuant to concurrent resolution, of the Senate and Assembly, herewith is returned Assembly bill (No. 1807) entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' by adding thereto a new

title, to be known as title thirty-two" (Int. No. 1333), for the purpose of transmitting the same to the city.

FRANK S. BLACK.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Dunkirk.

Also, the following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 30, 1898.*

To the Assembly:

Pursuant to concurrent resolution, of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1224) entitled "An act to amend chapter 105 of the Laws of 1891, relating to the vacations and leave of absence of firemen" (Int. No. 484), for the purpose of transmitting the same to the city.

FRANK S. BLACK.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

Also, the following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 30, 1898.*

To the Assembly:

Pursuant to concurrent resolution, of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1572) entitled "An act to amend chapter 667 of the Laws of 1868, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point,' and to repeal section 6 thereof" (Int. No. 1134), for the purpose of transmitting the same to the city.

FRANK S. BLACK.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Mr. Speaker presented the forty-ninth annual report of the Board of Managers of the State Industrial School at Rochester, which was laid upon the table and ordered printed.

(See Document.)

Also, the third annual report of the State Racing Commission; which was laid upon the table and ordered printed.

(See Document.)

Also, the report of the commissioners representing the State of New York at the Tennessee Centennial; which was laid upon the table and ordered printed.

(See Document.)

Also, the annual report of the Health Officer of the Port of New York; which was laid upon the table and ordered printed.

(See Document.)

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

“An act to provide for the construction of vertical retaining walls on each side of the Oneida feeder to the Erie canal, in the village of Oneida, Madison county, from Messenger street to Cedar street, in said village, and making an appropriation therefor.” (No. 1803, Int. No. 1329.)

“An act to amend chapter 15 of the Laws of 1898, entitled ‘An act to provide for the appointment of a canal investigating commission, and making an appropriation therefor,’ in relation to the report of such commission.” (No. 1855, Int. No. 1360.)

“An act to amend the Penal Code, in relation to the punishment of fraudulent entries and practices in contests of speed between trotting and pacing horses.” (No. 1369, Int. No. 1082.)

Ordered, That the Clerk deliver said bills to the Governor.

“An act authorizing municipal officers of cities of the third class to contract for the lighting of streets for a period not exceeding five years.” (No. 1360, Int. No. 795.)

Ordered, That the Clerk transmit duly certified copies thereof to all cities of the third class excepting Utica.

“An act to amend the Town Law and the Election Law, authorizing the board of supervisors of each county to provide for the holding of town meetings at the time of the general elections.” (No. 1779, Int. No. 1320.)

“An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, relative to taking shad, herring and other fish in the Hudson and Delaware rivers, and other waters.” (No. 1654, Int. No. 854.)

“An act to amend chapter 924 of the Laws of 1871, entitled ‘An act to incorporate the United States Mortgage Company,’ and the acts amendatory thereof, relating to the qualifications of directors.” (No. 1634, Int. No. 1070.)

“An act to amend chapter 986 of the Laws of 1896, entitled ‘An act to incorporate the Patent and Copyright Protective Association of New York.’” (No. 1681, Int. No. 1250.)

“An act to amend section 4 and to further amend section 11 of chapter 531 of the Laws of 1869, entitled ‘An act to incorporate the village of Chateaugay, in the county of Franklin.’” (No. 1837, Int. No. 1240.)

“An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, in relation to fishing with nets and spears in Seneca lake.” (No. 999, Int. No. 855.)

“An act making an appropriation for the construction of a steel bridge over the Glens Falls feeder, on Main street, in the village of Sandy Hill.” (No. 1496, Int. No. 311.)

“An act to amend the Highway Law, by adding a section thereto relating to the application of the proceeds of county road bonds.” (No. 1713, Int. No. 958.)

“An act to amend the Fisheries, Game and Forest Law, relative to bounties on wolves and panthers.” (No. 1161, Int. No. 957.)

“An act to authorize the Comptroller of this State to hear and determine the application of John R. Wilson and Louis Supernant for the cancellation of the tax sale for unpaid taxes of all that part of lot No. 66, in Hoffman township, in Essex county, New York, which lies east of Trout brook in said township.” (No. 440, Int. No. 421.)

“An act to reappropriate money for expenses, repairs and betterments of the State armory at Newburgh, New York, as provided for by chapter 949 of the Laws of 1896.” (No. 1699, Int. No. 1285.)

“An act releasing the interest of the State of New York in certain lands, of which Sarah Folao died seized, to George W. Church, as overseer of the poor of the town of Romulus, in the

county of Seneca and State of New York." (No. 1212, Int. No. 995.)

"An act to amend an act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof." (No. 1624, Int. No. 1261.)

"An act to amend chapter 490 of the Laws of 1885, entitled 'An act concerning tramps,' in relation to their punishment." (No. 1582, Int. No. 119.)

"An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of Thomas Gilgan against the State of New York." (No. 1196, Int. No. 556.)

"An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of James Grant against the State, and to make an award therefor." (No. 1732, Int. No. 860.)

"An act to repeal chapter 200 of the Laws of 1890, entitled 'An act in relation to the burial or other disposition of dead bodies in the town of Newtown, in the county of Queens.'" (No. 1400, Int. No. 1136.)

"An act to amend chapter 268 of the Laws of 1877, entitled 'An act in relation to the collection of taxes and the sales of land therefor in certain towns of Queens county,' as amended by chapter 226 of the Laws of 1878." (No. 1648, Int. No. 1112.)

"An act to change the name of the 'Brooklyn Throat Hospital.'" (No. 1851, Int. No. 522.)

"An act to amend the Tax Law, in relation to the transfer tax assistant district attorney." (No. 1796, Int. No. 630.)

"An act in relation to printing in penal institutions in the State." (No. 1834, Int. No. 357.)

"An act to relieve Charles S. Harrison, who was elected a justice of the peace of the town of Woodhull, Steuben county, on the 22d day of February, 1898, from any liability or forfeiture by reason of failure to file a statement of election expenses within the time required by law." (No. 1870, Int. No. 1369.)

"An act declaratory of the application of section 504 of chapter 105 of the Laws of 1891." (No. 1449, Int. No. 1115.)

“An act to amend the Highway Law, in relation to assessment for highway labor.” (No. 1698, Int. No. 1284.)

“An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens.” (No. 1755, Int. No. 810.)

“An act to amend chapter 325 of the Laws of 1897, entitled ‘An act providing for a system of county roads in the county of Orange,’ relating to streets and highways of cities and villages.” (No. 1688, Int. No. 1274.)

“An act to amend chapter 589 of the Laws of 1886, entitled ‘An act to incorporate the Chateaugay Water Works Company.’” (No. 1563, Int. No. 1204.)

“An act to provide for the construction of a bridge and the approaches thereto, and for the extension and repair of the old abutments, in the village of Seneca Falls, in the county of Seneca, and making an appropriation therefor.” (No. 1589, Int. No. 1215.)

“An act to amend section 68 of article 2 of chapter 414 of the Laws of 1897, entitled ‘An act in relation to villages, constituting chapter 21 of the general laws.’” (No. 1448, Int. No. 1114.)

“An act to amend the Penal Code by inserting a new section, to be know as section 619a, relative to the issuing and use of transfer tickets upon street surface railroads.” (No. 1759, Int. No. 523.)

“An act to amend the Highway Law, in relation to serving notice of meeting of commissioners to determine the necessity for laying out highways and assess damages.” (No. 1644, Int. No. 1228.)

“An act to amend chapter 251 of the Laws of 1896, entitled ‘An act for the protection of fur-bearing animals in the counties of Wayne, Jefferson and Cayuga.’” (No. 1792, Int. No. 1148.)

“An act to prevent evils and abuses in connection with the placing out of children.” (No. 1867, Int. No. 1367.)

“An act requiring any person, persons or association of persons doing business as private bankers in any city of the first class in this State, to file bonds for the security of certain depositors.” (No. 1291, Int. No. 224.)

“An act to legalize and confirm the official acts of John W. McCarty as a notary public in and for the county of Tioga.” (No. 1832, Int. No. 1353.)

“An act to amend chapter 505 of the Laws of 1897, entitled ‘An act to make the office of sheriff of Sullivan county a salaried office in part, and to regulate the management of said office,’ and to repeal section 3 of said act.” (No. 1607, Int. No. 1047.)

“An act to amend the State Charities Law, in relation to the care, custody, discipline and discharge of patients at the Craig Colony.” (No. 1538, Int. No. 1176.)

“An act to amend chapter 687 of the Laws of 1892, entitled ‘An act to amend the General Corporation Law,’ in relation to boards of directors.” (No. 1158, Int. No. 659.)

“An act to establish a State board of embalmers, and to regulate the practice of embalming.” (No. 795, Int. No. 711.)

“An act to authorize the town board of the town of Austerlitz, of Columbia county, to audit the account of Benjamin Sitter, late commissioner of highways of such town, for expenditures made and services performed by him as such commissioner.” (No. 1245, Int. No. 355.)

“An act legalizing the acts of Frank Burton as notary public.” (No. 1629, Int. No. 1266.)

“An act to amend chapter 439 of the Laws of 1897, entitled ‘An act to provide for the holding of annual town meetings and elections in the towns in the counties of Rockland, Orange and Sullivan.’” (No. 1287, Int. No. 932.)

“An act to amend chapter 125 of the Laws of 1842, entitled ‘An act to condense and amend the several acts relating to the village of Albion,’ and the several acts amendatory thereof.” (No. 1445, Int. No. 1111.)

“An act to amend the Town Law, in relation to the election and powers of trustees of burial grounds.” (No. 1406, Int. No. 1142.)

“An act to annul and dissolve the corporation known as ‘The Inebriates’ Home for Kings County.’” (No. 1795, Int. No. 1309.)

“An act to provide for the completion of the bridge over the

inlet to Otisco lake, in the county of Onondaga, and making an appropriation therefor." (No. 431, Int. No. 412.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry E. Tremain and Mason W. Tyler, composing the copartnership of Tremain & Tyler, against the State for damages alleged to have been sustained by them, and to render judgment therefor." (No. 1717, Int. No. 907.)

"An act to amend the Railroad Law, relative to the crossing of bridges." (No. 1514, Int. No. 895.)

"An act to provide for the completion of the State armory and drillroom, at Walton, N. Y., and making an appropriation therefor." (No. 1853, Int. No. 1170.)

"An act to amend chapter 941 of the Laws of 1896, entitled 'An act to incorporate the Inter-State Mortgage Debenture Company,' and to repeal certain sections thereof." (No. 1633, Int. No. 1046.)

"An act to release from assessments heretofore made on the real estate of the Missionary Society of the Most Holy Redeemer in the State of New York." (No. 1260, Int. No. 1015.)

"An act to amend the Fisheries, Game and Forest Law, relating to the taking of web-footed wild fowl in Kings, Queens and Suffolk counties and in Long Island sound." (No. 1227, Int. No. 536.)

"An act to amend section 95 of the Railroad Law, chapter 39 of the general laws, relative to payment of percentages by street surface railway corporations in cities." (No. 1057, Int. No. 888.)

"An act to extend the time for the commencement of construction or the completion of railroads that have been placed in the hands of receivers by the Supreme Court." (No. 408, Int. No. 395.)

"An act to extend the time of the Little Falls, Van Hornesville and Otsego Lake Narrow Gauge Railroad Company to begin the construction of its road and expend thereon 10 per centum of the amount of its capital and finish and put the same in operation." (No. 1012, Int. No. 869.)

"An act to provide for the better administration of justice in the town of Frankfort, in the county of Herkimer, and State of New York." (No. 1353, Int. No. 1074.)

"An act to authorize the completion of the work of deepening and widening of the channel leading from Shinnecock Bay to

Great South Bay, in the town of Southampton, in the county of Suffolk, and making an appropriation therefor." (No. 1296, Int. No. 272.)

"An act to establish a ferry from and to Hack's bay, in the town of Ticonderoga, in the county of Essex, across Lake Champlain, to and from the public highway or roadway at Watch point, in the town of Shoreham, in the State of Vermont." (No. 1368, Int. No. 839.)

"An act to legalize and confirm the official acts of a notary public." (No. 1389, Int. No. 1103.)

"An act to authorize the construction of a wrought iron or steel lift bridge over the Erie canal in the village of Brighton." (No. 1289, Int. No. 416.)

"An act to legalize the official acts of Paul D. Ives, Leroy Buckley and Albert J. Lawrence as justices of the peace of the town of Easton, in Washington county, New York, and to authorize them to file proper official bonds as such justices." (No. 1843, Int. No. 1356.)

"An act to amend section 956 of the Code of Civil Procedure in reference to documentary evidence." (No. 1507, Int. No. 139.)

"An act to facilitate the collection and recovery of the assets of corporations for which receivers have been appointed." (No. 1088, Int. No. 535.)

"An act to provide the means, and making appropriations to pay the expenses of superintendence, maintenance and ordinary repairs of the canals for the fiscal year beginning on the 1st day of October, 1898." (No. 494, Int. No. 463.)

"An act to amend the Religious Corporations Law, generally." (No. 1642, Int. No. 940.)

"An act to provide for repairing and reconstructing the banks and channels of Glen creek, in the village of Watkins, and making an appropriation therefor." (No. 1494, Int. No. 846.)

"An act to amend the Indian Law, in relation to the St. Regis tribe of Indians." (No. 1671, Int. No. 1239.)

"An act to provide for the building of a dam across the Saranac river at Saranac lake, and making an appropriation therefor." (No. 1562, Int. No. 1203.)

"An act to amend the Insurance Law." (No. 1543, Int. No. 1181.)

"An act to amend chapter 113 of the Laws of 1860, entitled 'An act creating certain additional officers in the town of Southold, in the county of Suffolk.'" (No. 1606, Int. No. 950.)

"An act to amend the Village Law, in relation to assessments for pavements." (No. 1637, Int. No. 1050.)

"An act to amend chapter 607 of the Laws of 1895, entitled 'An act authorizing religious corporations to establish and maintain a home for the aged poor of their membership or congregation, and to take and hold property therefor.'" (No. 1410, Int. No. 978.)

"An act to amend chapter 215 of the Laws of 1840, entitled 'An act to incorporate the Atlantic Dock Company,' extending the corporate existence of said company." (No. 1444, Int. No. 1110.)

"An act to provide for a hearing of the claims of J. W. Van Slyke and others for work done and services performed for the State under the provision of chapter 577 of the Laws of 1864." (No. 1734, Int. No. 1173.)

"An act to provide for repairing the draw-bridge over the Minisceongo creek in the county of Rockland, and making an appropriation therefor." (No. 1723, Int. No. 600.)

"An act making an appropriation for Thomas Asylum for Orphan and Destitute Indian Children." (No. 1726, Int. No. 615.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Marie Menasher, as administratrix of the estate of Fred Menasher, deceased, against the State for damages alleged to have been sustained by him, and to render judgment therefor." (No. 1439, Int. No. 1105.)

"An act providing for the taxation for school purposes of the lands owned by the State and situate within the boundaries of joint school district No. 5, towns of Ovid and Romulus, in the county of Seneca, and making an appropriation for the erection of a new school building in said district." (No. 1147, Int. No. 954.)

"An act to amend chapter 33 of the Laws of 1896, entitled 'An

act to extend the time for the completion of the Rhinebeck and Rhinecliff Street Surface Railroad Company." (No. 1641, Int. No. 868.)

"An act to extend the time for the completion of the Hudson Tunnel Railway." (No. 1780, Int. No. 1321.)

"An act to authorize towns to purchase the works, property and franchises of any water works company which supplies such town with water, and to provide for payment for the same." (No. 1566, Int. No. 1207.)

"An act to amend the Railroad Law, and the acts amendatory thereof, relative to certificates of public convenience and necessity." (No. 1513, Int. No. 269.)

"An act to authorize and provide for the construction of sewers in the town of Gates, Monroe county." (No. 1622, Int. No. 1259.)

"An act to incorporate 'The New York Mutual Title Insurance Company.'" (No. 1083, Int. No. 214.)

"An act to amend chapter 64 of the Laws of 1891, entitled 'An act to make the office of county clerk of the county of Madison a salaried office, and regulating the management of said office.'" (No. 1647, Int. No. 60.)

"An act to amend chapter 202 of the Laws of 1897, entitled 'An act authorizing the board of supervisors of the county of Oneida to designate a board of equalization in and for said county, and defining its powers and duties.'" (No. 924, Int. No. 797.)

"An act to amend the Highway Law, and the acts amendatory thereof, in relation to the pay of commissioners appointed by court to assess damages for laying out a highway." (No. 1370, Int. No. 502.)

"An act to legalize and confirm the official acts of Frederick H. Chase, a notary public." (No. 1311, Int. No. 796.)

"An act to authorize the Comptroller of this State to hear and determine the application of the owners of certain lands in Kings county for cancellation of a tax sale and allowing redemption from subsequent tax sales upon paying the amount charged against the same." (No. 695, Int. No. 623.)

“An act to legalize the adoption of Annie Grace Smock, whose maiden name was Annie Grace Payne, by Townsend D. Cock and Jane D., his wife.” (No. 1087, Int. No. 569.)

“An act to amend section 20 of chapter 570 of the Laws of 1895, entitled ‘An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State Racing Commission,’ relating to collection of tax.” (No. 1835, Int. No. 1003.)

“An act to amend the Fisheries, Game and Forest Law, and the act amendatory thereof, relating to the use of nets.” (No. 1709, Int. No. 864.)

“An act to amend chapter 338, Laws of 1893, entitled ‘An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,’ in relation to sale and transportation of calves.” (No. 979, Int. No. 389.)

“An act to amend the Tax Law, relating to payment of State tax.” (No. 1187, Int. No. 983.)

“An act to amend the Labor Law, relating to the determination of what constitutes the prevailing rate of wages to be paid to employes on public works.” (No. 1718, Int. No. 848.)

“An act to amend section 1678 of the Code of Civil Procedure, in relation to the sale of real property.” (No. 1238, Int. No. 678.)

“An act authorizing the removal and construction of a wrought iron bridge over the Erie canal, or Tonawanda creek, known as the ‘New Home Bridge,’ between Pendleton and Pickard’s bridge, in the counties of Erie and Niagara, with abutments and approaches thereto, and making an appropriation therefor.” (No. 1724, Int. No. 93.)

“An act authorizing the construction of a stone arch culvert over the State ditch at Delaware street, in the village of Tonawanda, Erie county, New York, and making an appropriation therefor.” (No. 1727, Int. No. 237.)

“An act to amend chapter 909 of the Laws of 1896, known as the Election Law, and entitled ‘An act in relation to the elections, constituting chapter 6 of the general laws,’ as amended by chapter 379 of the Laws of 1897.” (No. 1240, Int. No. 91.)

“An act to amend chapter 74 of the Laws of 1877, entitled ‘An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York.’ (No. 1473, Int. No. 1160.)

“An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of Alma Farm Company, Limited, against the State of New York.” (No. 1733, Int. No. 583.)

“An act conferring jurisdiction upon and authorizing the Court of Claims to hear, audit and determine the claim of Frank Fleck against the State of New York and make an award therefor.” (No. 1649, Int. No. 887.)

“An act to regulate the practice of midwifery in Montgomery county, by others than legally authorized physicians.” (No. 348, Int. No. 343.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

“An act for the release to William R. Peters of any claim of the people of the State of New York in and to certain lands within the city of New York.” (No. 28, Assembly reprint No. 1839, Rec. No. 11.)

“An act to incorporate The Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir.” (No. 724, Assembly reprint No. 1847, Rec. No. 272.)

“An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State.” (No. 854, Assembly reprint No. 1865, Rec. No. 237.)

“An act to make an appropriation for the payment of the judgments of the Court of Claims.” (No. 855, Assembly reprint No. 1866, Rec. No. 238.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill (No. 1024) entitled "An act to amend section 63 of the Code of Civil Procedure, and forbidding persons not admitted to practice as attorneys and counsellors in the courts of record of the State to practice in any court or before any magistrate within The City of New York" (Int. No. 468), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills:

"An act to amend chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,' relative to employment of counsel by a district attorney." (No. 439, Senate reprint No. 1138, Int. No. 420.)

"An act to amend the Fisheries, Game and Forest Law, relative to paying bounties for the destruction of illegal devices for the taking of fish." (No. 898, Senate reprint No. 1056, Int. No. 782.)

"An act to amend the Code of Criminal Procedure, and to repeal sections 2 and 6 of chapter 490 of the Laws of 1885, entitled 'An act concerning tramps,' in relation to vagrants and tramps." (No. 1037, Senate reprint No. 1054, Int. No. 684.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have reconsidered the votes by which said bills passed, and, as amended, have again passed the same.

"An act to amend chapter 413 of the Laws of 1897, entitled 'An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law,' in reference to the education fund." (No. 1856, Int. No. 417.)

"An act to amend section 3 of chapter 116 of the Laws of 1897, entitled 'An act to make the office of county clerk of Washington county a salaried office, and regulating the management of said office.'" (No. 1783, Int. No. 471.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 1612) entitled "An act to provide statistical information for the public benefit, relating to

turnpike companies, plank-road companies and bridge companies" (Int. No. 970), with a message that they have non-concurred in the passage thereof.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof.'" (No. 1033, Senate reprint No. 1073, Int. No. 619.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend chapter 58 of the Laws of 1890, entitled 'An act to incorporate the city of Corning,' and the acts amendatory thereof and supplemental thereto." (No. 1749, Int. No. 448.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Corning.

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to newspapers to be designated in which corporate notices are to be advertised." (No. 1030, Int. No. 434.)

"An act to amend section 1369 of 'The Greater New York Charter,' in relation to the municipal court." (No. 725, Int. No. 241.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

"An act to amend chapter 425 of the Laws of 1896, entitled

‘An act to amend the charter of the city of Poughkeepsie,’ and to repeal certain sections thereof.” (No. 1581, Int. No. 710.)

“An act authorizing the commissioners of the sinking fund of the city of Poughkeepsie to issue bonds at a reduced rate of interest in exchange for existing bonds heretofore issued by the city of Poughkeepsie.” (No. 1860, Int. No. 1362.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Poughkeepsie.

“An act to authorize the construction of a new-iron bridge with double driveways and sidewalks over the Erie canal at South George street in the city of Rome.” (No. 1501, Int. No. 83.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rome.

“An act to provide for the maintenance and government of the public schools of the city of Jamestown.” (No. 1747, Int. No. 1319.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

“An act to legalize, validate and confirm sales of taxes made by the city of Rochester.” (No. 1484, Int. No. 674.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

“An act to authorize the city of Syracuse to levy a tax to provide for the means to defray the cost of the completion of a building for fire purposes, in the Fifteenth ward of the city of Syracuse, and for equipping the same.” (No. 1682, Int. No. 1268.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

“An act in relation to the construction, maintenance and operation of railroads upon East Fourteenth street, in the borough of Brooklyn, in The City of New York.” (No. 613, Int. No. 568.)

“An act to legalize and confirm certain appointments made in the department by the fire commissioner of the former city of Brooklyn.” (No. 782, Int. No. 697.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

“An act providing for the construction of a lift or hoist bridge over the Erie canal on Schuyler street, in the city of Utica, and making an appropriation therefor.” (No. 1290, Int. No. 114.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

“An act to amend chapter 105 of the Laws of 1891, entitled ‘An act to revise the charter of the city of Buffalo,’ and the several acts amendatory thereof and supplementary thereto, in relation to taxes.” (No. 1379, Senate reprint No. 1116; Int. No. 1093.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

“An act to amend chapter 143 of the Laws of 1861, entitled ‘An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,’ and the several acts amendatory thereof and supplementary thereto.” (No. 1008, Senate reprint No. 1132; Int. No. 865.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

“An act in relation to the proceeds of sale of school lands in the borough of Brooklyn, New York.” (No. 1694, Int. No. 1280.)

“An act to provide for the transfer of a certain plot of land in the borough of Brooklyn, City of New York, to the Brooklyn Free Library.” (No. 1583, Int. No. 654.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

“An act to amend chapter 84 of the Laws of 1886, entitled ‘An act to incorporate the city of Jamestown,’ and the several acts amendatory thereof.” (No. 1829, Int. No. 1301.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

“An act to amend chapter 105 of the Laws of 1891, entitled ‘An act to revise the charter of the city of Buffalo, relative to taxes.’” (No. 1786, Int. No. 1005.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

“An act to provide for payment for the services rendered to the

city of Brooklyn, in the county of Kings (now forming part of The City of New York, under and by virtue of chapter 378 of the Laws of 1897), by the volunteer firemen of the town of Flatbush, in said county of Kings, annexed to said former city of Brooklyn by chapter 356 of the Laws of 1894." (No. 1339, Int. No. 1058.)

"An act to amend chapter 672 of the Laws of 1897, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, as amended by chapters 84 and 288 of the Laws of 1887, and by chapter 238 of the Laws of 1892, and by chapter 567 of the Laws of 1895, and otherwise so as to provide for the improvement of tenements and lodging-houses.'" (No. 1621, Int. No. 1258.)

"An act relating to the payment of officers of election in the city and county of New York." (No. 421, Int. No. 402.)

"An act to amend chapter 223 of the Laws of 1885, entitled 'An act for the relief of William L. Cole, Thomas F. Meehan and J. M. Meehan.'" (No. 1817, Int. No. 1343.)

"An act to amend the Greater New York charter, relating to the distribution of moneys collected on account of taxation of fire insurance companies in The City of New York." (No. 1840, Int. No. 527.)

"An act to provide for the payment of certain claims for material furnished and work, labor and services performed for the commissioner of correction of the city of New York in connection with alterations to the tombs and other institutions." (No. 1666, Int. No. 1234.)

"An act to provide a tax budget, and to levy taxes in that portion of The City of New York heretofore known as Long Island City." (No. 1263, Int. No. 1018.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

"An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers.'" (No. 1825, Int. No. 1349.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

“An act to authorize the improvement of Ocean avenue, in the borough of Brooklyn, in The City of New York.” (No. 1397, Senate reprint No. 1147; Int. No. 1133.)

“An act to provide for carrying out a contract for grading a portion of West Seventeenth street, in the borough of Brooklyn, City of New York.” No. 1217, Int. No. 1000.)

“An act to exempt the real estate of ‘The Sisters of the Poor of St. Francis,’ in the State of New York, from taxation, assessments and water rates.” (No. 1322, Int. No. 1041.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

“An act to amend chapter 396 of the Laws of 1885, entitled ‘An act to revise the charter of the city of Dunkirk,’ and the acts amendatory thereof and supplementary thereto.” (No. 1614, Int. No. 1251.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Dunkirk.

“An act to amend chapter 84 of the Laws of 1886, entitled ‘An act to incorporate the city of Jamestown,’ as amended by chapter 134 of the Laws of 1890, and further amended by chapter 981 of the Laws of 1896, in relation to the acquisition of property for water purposes.” (No. 1756, Int. No. 325.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

“An act to establish ‘a sinking fund commission’ in the city of Mount Vernon, and providing for the investment of the money in the sinking fund of said city.” (No. 291, Int. No. 284.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

“An act to amend chapter 105 of the Laws of 1891, entitled ‘An act to revise the charter of the city of Buffalo,’ and the several acts amendatory thereof and supplementary thereto, in relation to taxes.” (No. 1653, Int. No. 499.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

"An act to amend and consolidate the several acts organizing and establishing a police force for the city of Schenectady, and for defining the powers and duties of the police authorities of said city, and permitting an increase of six in the number of policemen, and providing for its support." (No. 1133, Int. No. 938.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Schenectady.

A communication was received from Hon. Robert A. Van Wyck, mayor of The City of New York, returning Assembly bill No. 977, entitled "An act to amend chapter 441 of the Laws of 1892, entitled 'An act to authorize the city of Brooklyn to establish and maintain a public library and reading-room in said city, and to provide for the payment therefor and for the maintenance thereof,' and the act amendatory thereof, relative to the number of directors thereof" (Int. No. 455), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Robert A. Van Wyck, mayor of The City of New York, returning Assembly bill No. 430, entitled "An act to extend the power of commissioners of deeds appointed in the former municipalities, now constituting the Greater New York" (Int. No. 411), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Robert A. Van Wyck, mayor of The City of New York, returning Assembly bill No. 707, entitled "An act to amend section 937 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to unpaid

taxes and assessments' (Int. No. 635), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The privileges of the floor were extended to Hons. Wm. Halpin, of New York; Wm. B. Graves, of Oneida, J. J. Sullivan, of New York; E. B. Rounds, of Cayuga; Wm. H. Gledhill, of New York.

On motion of Mr. Nixon, the House adjourned, to meet to-morrow morning at 10 o'clock.

THURSDAY, MARCH 31, 1898.

The House met pursuant to adjournment.

Prayer by Rev. Frederick N. Rutan.

On motion of Mr. Hill, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Sanford gave notice that he requests the bill (No. 1875) entitled "An act authorizing the city of Mount Vernon to issue street improvement bonds" (Int. No. 290), be referred to the committee on rules to be made a special order.

Mr. Nixon gave notice that he requests the bill (No. 1875) entitled "An act making appropriation for the support of government" (Int. No. 290), be referred to the committee on rules to be made a special order.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 739) entitled "An act to amend sections 150 and 151 of chapter 908 of the Laws of 1896, entitled the 'Tax Law,' in relation to tax sales" (Rec. No. 410), reported in favor of the passage of the same without amendment, and that the same be made a special order on second and third reading immediately, which report was agreed to, and said bill made a special order on second and third reading immediately.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Nixon, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Egan	Holbert	Mohring	Shoeneck
Addis	Eldridge	Hubbard	Mullany	Simmons
Adler	Ellis	Ives	Murphy	Sinsheimer
Allds	Evarts	Johnson	Myers J C	Smith E LaG
Axtell	Farrell	Kavanaugh	Nixon	Stedman
Baker	Finn	Kelly	O'Connor	Stoneman
Bondy	Fish	Kelsey	Palmer	Streidler
Brennan E C	Fitzgerald	Kullman	Paris	Sullivan
Brewster	Fritz	Laimbeer	Perkins	Taylor
Brown	Fuller	Lowenthal	Peterson	Tiffany
Burr	Gallagher	Mahar	Phillips	Tompkins
Cain	Gibney	Maloney	Pickett	Tremper
Clark A L	Glaser	Marshall	Pierce	Tripp
Clark C J	Goodsell	Martin	Post	Van Hoesen
Costello	Green	Mason	Raplee	Vincent
Cottle	Greenwood	Matteson	Reisert	Vroman
Coughtry	Griggs	McEwan	Roche	Wallace
Crabtree	Hachemeis'r	McGuire	Sage	Weill
Cross	Haight	McKeown	Sanford	Whipple
Dale	Harburger	Meyer G W	Schmid A F	Williams
Davis	Hatch	Miles	Schmid F	Witter
DeGraw	Hays	Miller	Schulum	Wright
Dillon	Hill	Mitchell	Seligsberg	Zimmerman
Donnelly	Hoffman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 1154) entitled "An act to adjust claims

in the several counties of the State " (Rec. No. 418), reported in favor of the passage of the same, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Oliver, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Oliver, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 28 }
 { NOES 81 }

Those who voted in the affirmative, were

Ackert	Dillon	Hutton	O'Connor	Roche
Adler	Donnelly	Kelly	Oliver	Sinsheimer
Brennen J F	Finn	Lowenthal	Phillips	Sullivan
Chanler	Fritz	Mahar	Pickett	Trainor
Cullen	Gallagher	Meyer G W	Reisert	Wicke
Dale	Guider	Mitchell		

Those who voted in the negative, were

Addis	DeGraw	Hays	Miller	Sloan
Allds	Dutton	Hill	Mullany	Smith ELA G
Armstrong	Egan	Hoes	Murphy	Stedman
Axtell	Eldridge	Holbert	Nixon	Stoneman
Baker	Ellis	Hubbard	Patton	Ten Eyck
Boland	Evarts	Johnson	Perkins	Tiffany
Bondy	Farrell	Ives	Peterson	Tremper
Brennan EC	Fish	Kelsey	Pierce	Tripp
Brewster	Fordyce	Litchard	Post	Van Rens'aer
Burr	Fuller	Marshall	Raplee	Vincent
Clark A L	Graney	Martin	Russell	Vroman
Clark C J	Greenwood	Mason	Schmid F	Wallace
Cottle	Griggs	Matteson	Schultz	Williams
Coughtry	Hanna	McEwan	Sears	Witter
Cowles	Harburger	McGuire	Shoeneck	Wright
Cross	Hatch	Miles	Simmons	Zimmerman
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have nonconcurrred in the passage of the same.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 1167) entitled "An act to legalize, ratify and confirm the election of certain persons as supervisors in the county of Monroe" (Rec. No. 424), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Perkins, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Perkins, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hatch	Miller	Simmons
Addis	Dillon	Hill	Mohring	Sinsheimer
Adler	Donnelly	Hoes	Mullany	Smith E LaG
Allds	Dutton	Hoffman	Murphy	Stedman
Armstrong	Eldridge	Holbert	Murray	Stoneman
Axtell	Ellis	Hubbard	Myers J C	Streifler
Baker	Evarts	Hutton	O'Connor	Sullivan
Boland	Finn	Johnson	Oliver	Taylor
Bondy	Fish	Kavanaugh	Palmer	Ten Eyck
Brennan EC	Fitzgerald	Kelly	Patton	Tiffany
Brennen J F	Fordyce	Kelsey	Perkins	Trainor
Brown	Fuller	Kullman	Peterson	Tremper
Burr	Gale	Litchard	Phillips	Tripp
Cain	Gallagher	Lowenthal	Pierce	Van Hoesen
Chanler	Gibney	Mahar	Post	Vincent
Clark C J	Glaser	Maloney	Raplee	Vroman

Collins	Goodsell	Marshall	Redington	Wallace
Costello	Graney	Martin	Roche	Weekes
Cottle	Green	Mason	Russell	Weill
Coughtry	Greenwood	Matteson	Sage	Whipple
Cowles	Griggs	McEwan	Sanford	Wicke
Cullen	Guider	McKeown	Schmid F	Williams
Crabtree	Hachemeis'r	McLaughlin	Schultz	Witter
Dale	Haight	Meyer G W	Schulum	Wright
Davis	Harburger	Miles	Seligsberg	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1875) entitled "An act making appropriations for support of government." (Int. No. 290.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hoffman	Mullany	Seligsberg
Addis	Delaney	Holbert	Murphy	Shoeneck
Adler	Dillon	Hubbard	Murray	Simmons
Allds	Donnelly	Hutton	Myers J C	Sinsheimer
Axtell	Dutton	Ives	Nixon	Smith E La G
Baker	Egan	Johnson	Oliver	Stedman
Boland	Eldridge	Kavanaugh	Palmer	Stoneman
Bondy	Evarts	Kelly	Paris	Streifler
Brennan E C	Farrell	Kullman	Patton	Sullivan
Brennen J F	Finn	Laimbeer	Perkins	Taylor
Brown	Fitzgerald	Litchard	Phillips	Ten Eyck
Burr	Fordyce	Lowenthal	Pickett	Tompkins
Cain	Fritz	Mahar	Pierce	Trainor
Chanler	Gale	Maloney	Post	Tremper
Clark A L	Gallagher	Marshall	Raplee	Van Hoesen

Clark C J	Glaser	Martin	Redington	Van Rens'aer
Collins	Goodsell	Mason	Reisert	Vincent
Costello	Green	Matteson	Roche	Vroman
Cottle	Greenwood	McEwan	Sage	Wallace
Coughtry	Guider	McGuire	Sanford	Weill
Cowles	Hachemeis'r	McKeown	Schmid A F	Whipple
Crabtree	Haight	McLaughlin	Schmid F	Wicke
Cross	Harburger	Meyer G W	Schultz	Williams
Cullen	Hatch	Miles	Schulum	Witter
Dale	Hays	Mitchell	Sears	Wright
Davis	Hill	Mohring		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1879) entitled "An act authorizing the city of Mount Vernon to issue street improvement bonds." (Int. No. 1371.)

On motion of Mr. Sanford, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 10 }

Those who voted in the affirmative, were

Ackert	Dillon	Harburger	Meyer G W	Schulum
Addis	Donnelly	Hatch	Miller	Sears
Adler	Egan	Hays	Mitchell	Seligsberg
Allds	Eldridge	Hill	Mohring	Shoeneck
Armstrong	Ellis	Hoes	Mullany	Simmons
Axtell	Evarts	Holbert	Murphy	Sinsheimer
Boland	Finn	Hubbard	Murray	Smith E LaG
Bondy	Fish	Hutton	Myers J C	Stedman
Brennen J F	Fitzgerald	Ives	Nixon	Stoneman
Brewster	Fordyce	Johnson	O'Connor	Streifler
Brown	Fritz	Kavanaugh	Oliver	Sullivan
Burr	Fuller	Kelly	Palmer	Ten Eyck

Cain	Gale	Kullman	Patton	Tiffany
Clark A L	Gallagher	Laimbeer	Perkins	Trainor
Clark C J	Gibney	Litchard	Peterson	Tremper
Collins	Glaser	Lowenthal	Pickett	Van Hoesen
Costello	Goodsell	Mahar	Pierce	Vincent
Cottle	Graney	Maloney	Post	Vroman
Coughtry	Green	Marshall	Raplee	Wallace
Crabtree	Greenwood	Martin	Redington	Weill
Cross	Griggs	Mason	Reisert	Whipple
Cullen	Guider	Matteson	Russell	Williams
Dale	Hachemeis'r	McEwan	Sage	Witter
Davis	Haight	McKeown	Schmid A F	Wright
DeGraw	Hanna	McLaughlin	Schmid F	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 404) entitled "An act to carry into effect the provisions of chapter 754 of the Laws of 1897, entitled 'An act to amend the Railroad Law and the acts amendatory thereof, relative to grade crossings,' and making an appropriation therefor." (Rec. No. 62.)

On motion of Mr. Eldridge, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 31 }

Those who voted in the affirmative, were

Ackert	Egan	Johnson	Nixon	Stedman
Allds	Eldridge	Kavanaugh	Oliver	Sullivan
Armstrong	Ellis	Kelly	Paris	Taylor
Axtell	Finn	Kelsey	Peterson	Ten Eyck
Bondy	Fish	Kullman	Pickett	Tompkins
Brennan EC	Fitzgerald	Lowenthal	Post	Trainor
Brennen J F	Fritz	Mason	Reisert	Tremper

Burr	Fuller	McEwan	Roche	Tripp
Collins	Gibney	McGuire	Russell	Van Rens'ae
Costello	Glaser	McKeown	Sage	Vincent
Coughtry	Goodsell	McLaughlin	Schmid A F	Wallace
Crabtree	Hanna	Miller	Schmid F	Wicke
Cross	Hatch	Mitchell	Schulum	Williams
Cullen	Hill	Mullany	Sloan	Witter
DeGraw	Hoes	Murray	Smith E La G	Wright
Donnelly	Ives			

Those who voted in the negative, were

Addis	Davis	Harburger	Patton	Simmons
Baker	Dutton	Litchard	Perkins	Stoneman
Brewster	Evarts	Mahar	Phillips	Tiffany
Clark A L	Green	Martin	Pierce	Van Hoesen
Cottle	Greenwood	Matteson	Raplee	Weekes
Cowles	Griggs	Palmer	Seligsberg	Weill
Dale				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Dutton	Hill	Mullany	Shoeneck
Addis	Egan	Hoes	Murphy	Simmons
Adler	Eldridge	Hoffman	Murray	Sinsheimer
Allds	Ellis	Holbert	Nixon	Sloan
Armstrong	Evarts	Hubbard	Oliver	Smith E La G
Axtell	Farrell	Ives	Palmer	Stedman
Baker	Finn	Johnson	Paris	Stoneman
Bondy	Fish	Kavanaugh	Patton	Streifler
Brennan E C	Fitzgerald	Kelly	Perkins	Sullivan
Brennen J F	Fordyce	Kelsey	Peterson	Ten Eyck
Brewster	Fritz	Kullman	Phillips	Tiffany
Burr	Fuller	Litchard	Pickett	Trainor
Cain	Gale	Lowenthal	Pierce	Tremper
Clark A L	Gallagher	Mahar	Post	Tripp
Costello	Gibney	Marshall	Raplee	Van Hoesen
Cottle	Glaser	Martin	Redington	Van Rens'ae

Coughtry	Green	Mason	Reisert	Vincent
Cowles	Greenwood	Matteson	Roche	Vroman
Crabtree	Griggs	McEwan	Russell	Wallace
Cross	Guider	McGuire	Sage	Weekes
Cullen	Hachemeis'r	McKeown	Sanford	Weill
Dale	Haight	McLaughlin	Schmid A F	Wicke
Davis	Hanna	Miles	Schmid F	Williams
DeGraw	Harburger	Miller	Schulum	Witter
Dillon	Hatch	Mitchell	Sears	Wright
Donnelly	Hays	Mohring	Seligsberg	129

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Schultz, C. J. Clark, Zimmerman and Goodsell, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1130) entitled "An act to amend chapter 354 of the Laws of 1883, entitled 'An act to regulate and improve the civil service of the State of New York.'" (Rec. No. 394.)

On motion of Mr. Armstrong, said bill was read the second time and ordered to a third reading.

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 68 }

Those who voted in the affirmative, were

Addis	Davis	Hoes	Murphy	Stoneman
Allds	DeGraw	Holbert	Nixon	Taylor
Armstrong	Delaney	Ives	Paris	Ten Eyck
Axtell	Dutton	Johnson	Patton	Tiffany
Baker	Eldridge	Kavanaugh	Perkins	Tremper
Bondy	Ellis	Kelsey	Peterson	Tripp
Brennan E C	Evarts	Litchard	Pierce	Van Rens'aer
Brewster	Fish	Lowenthal	Post	Vincent
Burr	Fordyce	Marshall	Raplee	Wallace
Clark A L	Fuller	Martin	Russell	Weekes
Clark C J	Goodsell	Mason	Sears	Whipple
Costello	Greenwood	Matteson	Seligsberg	Williams
Cottle	Hanna	McEwan	Simmons	Witter
Coughtry	Hatch	McLaughlin	Sloan	Zimmerman
Cowles	Hays	Miles	Smith E La G	Speaker
Cross	Hill	Miller	Stedman	

Those who voted in the negative, were

Ackert	Farrell	Harburger	Murray	Schmid F
Adler	Finn	Hoffman	Myers J C	Schultz
Boland	Fitzgerald	Hubbard	O'Connor	Schulum
Brennen J F	Fritz	Hutton	Oliver	Sinsheimer
Brown	Gale	Kelly	Palmer	Streifler
Cain	Gallagher	Kullman	Phillips	Sullivan
Chanler	Gibney	Mahar	Pickett	Tompkins
Collins	Glaser	Maloney	Redington	Trainor
Crabtree	Graney	McGuire	Reisert	Van Hoesen
Cullen	Green	McKeown	Roche	Vroman
Dale	Griggs	Meyer G W	Sage	Weill
Dillon	Guider	Mitchell	Sanford	Wicke
Donnelly	Hachemeis'r	Mohring	Schmid A F	Wright
Egan	Haight	Mullany		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 976) entitled "An act to provide for a change of motive power in the operation of certain railways in and near public parks in the cities of the State of New York." (Rec. No. 372.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
 { NOES 3 }

Those who voted in the affirmative, were

Ackert	Dale	Guider	McLaughlin	Sears
Addis	DeGraw	Haight	Meyer G W	Seligsberg
Adler	Delaney	Hanna	Miller	Shoeneck
Allds	Dillon	Harburger	Mitchell	Simmons
Armstrong	Donnelly	Hatch	Mohring	Sinsheimer
Axtell	Dutton	Hays	Murphy	Sloan
Baker	Egan	Hoes	Murray	Smith E LaG
Boland	Eldridge	Hoffman	Myers J C	Stedman
Bondy	Ellis	Hubbard	Nixon	Stoneman
Brennan EC	Evarts	Hutton	O'Connor	Streifler
Brennen J F	Farrell	Ives	Oliver	Sullivan
Brewster	Finn	Johnson	Palmer	Ten Eyck
Brown	Fish	Kavanaugh	Paris	Tiffany
Burr	Fitzgerald	Kelsey	Patton	Tompkins
Cain	Fordyce	Laimbeer	Perkins	Tremper
Chanler	Fritz	Litchard	Peterson	Tripp
Clark A L	Fuller	Lowenthal	Phillips	Van Rens'aer
Clark C J	Gale	Mahar	Pierce	Vincent
Collins	Gallagher	Maloney	Raplee	Wallace
Costello	Gibney	Marshall	Redington	Weekes
Cottle	Glaser	Martin	Reisert	Weill
Coughtry	Goodsell	Mason	Roche	Whipple
Cowles	Graney	Matteson	Russell	Wicke
Crabtree	Green	McEwan	Sanford	Witter
Cross	Greenwood	McGuire	Schmid A F	Wright
Cullen	Griggs	McKeown	Schulum	Zimmerman

Those who voted in the negative, were

Davis	Mullany	Schmid F
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 907) entitled "An act to amend section 24 of "The Stock Corporation Law." (Rec. No. 417.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 20 }
 { NOES 57 }

Those who voted in the affirmative, were

Ackert	Chanler	Gale	Oliver	Schmid A F
Adler	Coughtry	Mullany	Phillips	Schultz
Bondy	Crabtree	Murray	Roche	Sullivan
Brennan EC	Finn	O'Connor	Sage	Weill

Those who voted in the negative, were

Addis	Fuller	Litchard	Perkins	Tiffany
Armstrong	Green	Lowenthal	Peterson	Trainor
Axtell	Greenwood	Martin	Pierce	Tripp
Baker	Griggs	Mason	Post	Van Hoesen
Clark A L	Hanna	Matteson	Raplee	Vroman
Cottle	Hatch	McEwan	Russell	Wallace
Cowles	Hays	Miles	Sears	Weekes
Davis	Hoes	Miller	Seligsberg	Williams
Evarts	Hutton	Nixon	Simmons	Witter
Farrell	Ives	Palmer	Sloan	Wright
Fish	Johnson	Patton	Smith E LaG	Zimmerman
Fritz	Kelsey			

Mr. Roche moved to reconsider the vote by which said bill was lost, and that that motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 518) entitled "An act to provide for the treatment of all persons diseased, incompetent, or dangerous from the use of alcoholic stimulants, opiates, narcotics or drugs of any description." (Rec. No. 91.)

On motion of Mr. Davis, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{	AYES	58	}
{	NOES	59	}

Those who voted in the affirmative, were

Addis	Cottle	Hill	Miles	Simmons
Adler	Coughtry	Holbert	Miller	Smith E La G
Allds	Cowles	Ives	Murphy	Stoneman
Armstrong	Cross	Johnson	Nixon	Taylor
Axtell	Davis	Kelly	Perkins	Tiffany
Baker	DeGraw	Kelsey	Peterson	Tremper
Bondy	Delaney	Litchard	Pierce	Tripp
Brennan E C	Dutton	Marshall	Post	Wallace
Brewster	Eldridge	Martin	Reisert	Weekes
Burr	Ellis	Mason	Russell	Wicke
Clark A L	Hanna	McGuire	Seligsberg	Witter
Costello	Hatch	McLaughlin		

Those who voted in the negative, were

Ackert	Fritz	Hoffman	Murray	Schulum
Brennen J F	Fuller	Hubbard	Myers J C	Schultz
Clark C J	Glaser	Hutton	O'Connor	Sinsheimer
Collins	Graney	Kavanaugh	Oliver	Sloan
Dale	Green	Lowenthal	Paris	Streifler
Dillon	Greenwood	Mahar	Phillips	Van Hoesen
Evarts	Griggs	Matteson	Pickett	Van Rens'aer

Farrell	Guider	McEwan	Roche	Vincent
Finn	Hachemeis'r	McKeown	Sage	Vroman
Fish	Haight	Meyer G W	Sanford	Weill
Fitzgerald	Harburger	Mitchell	Schmid A F	Wright
Fordyce	Hoes	Mullany	Schmid F	

Mr. Davis moved to reconsider the vote by which said bill was lost, and that that motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 591) entitled "An act to amend section 3228 of the Code of Civil Procedure, relating to the awarding of costs." (Rec. No. 125.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Harburger	McLaughlin	Sears
Addis	Davis	Hays	Meyer G W	Seligsberg
Adler	DeGraw	Hill	Miller	Shoeneck
Allds	Delaney	Hoes	Mitchell	Simmons
Armstrong	Dillon	Hoffman	Mullany	Sinsheimer
Axtell	Donnelly	Holbert	Murphy	Sloan
Baker	Dutton	Hubbard	Myers J C	Smith E La G
Boland	Egan	Hutton	Nixon	Stedman
Bondy	Eldridge	Ives	Oliver	Stoneman
Brennan E C	Ellis	Johnson	Palmer	Streifler
Brennen J F	Farrell	Kavanaugh	Paris	Sullivan
Brewster	Finn	Kelly	Patton	Taylor
Brown	Fitzgerald	Kelsey	Perkins	Ten Eyck
Burr	Fritz	Kullman	Peterson	Tiffany
Cain	Gale	Laimbeer	Pickett	Trainor

Chanler	Gallagher	Litchard	Pierce	Tremper
Clark A L	Gibney	Mahar	Post	Van Hoesen
Clark C J	Glaser	Maloney	Raplee	Van Rensselaer
Collins	Goodsell	Marshall	Redington	Vroman
Costello	Green	Martin	Reisert	Weekes
Cottle	Greenwood	Mason	Russell	Weill
Coughtry	Griggs	Matteson	Sage	Wicke
Cowles	Hachemeis'r	McEwan	Sanford	Williams
Crabtree	Haight	McGuire	Schmid A F	Witter
Cross	Hanna	McKeown	Schultz	Zimmerman
Cullen				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 417) entitled "An act making an appropriation to provide means to clean out and improve the west branch of the Eighteen Mile creek, in the towns of Lockport and Newfane, in the county of Niagara." (Rec. No. 92.)

On motion of Mr. Vroman, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hanna	Miller	Schulum
Addis	Delaney	Hatch	Mitchell	Sears
Adler	Dillon	Hill	Mohring	Shoeneck
Allds	Donnelly	Hoes	Mullany	Simmons
Armstrong	Dutton	Holbert	Murphy	Sloan
Axtell	Eldridge	Hutton	Murray	Smith E LaG
Baker	Evarts	Ives	Myers J C	Stedman

Boland	Farrell	Johnson	Nixon	Stoneman
Bondy	Finn	Kelly	O'Connor	Streifler
Brennan E	C Fish	Kelsey	Oliver	Sullivan
Brennen J	F Fordyce	Kullman	Palmer	Taylor
Brewster	Fritz	Laimbeer	Patton	Ten Eyck
Brown	Fuller	Litchard	Perkins	Tompkins
Burr	Gale	Lowenthal	Peterson	Trainor
Cain	Gallagher	Mahar	Phillips	Tremper
Chanler	Gibney	Maloney	Pierce	Van Hoesen
Clark A L	Glaser	Marshall	Post	Van Rens'ae
Clark C J	Goodsell	Martin	Raplee	Vincent
Collins	Graney	Mason	Reisert	Wallace
Cottle	Green	Matteson	Roche	Weekes
Coughtry	Greenwood	McEwan	Russell	Weill
Cowles	Griggs	McGuire	Sanford	Whipple
Cross	Guider	McKeown	Schmid A F	Wicke
Cullen	Hachemeis'r	Meyer G W	Schmid F	Witter
Davis	Haight	Miles	Schultz	Wright

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1099) entitled "An act to amend the Railroad Law, relating to the better protection of railway employes and others, by filling the angles, frogs, guard-rails, switches and crossings of railroads" (Rec. No. 392), having been announced for a second reading,

On motion of Mr. Eldridge, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 30) entitled "An act authorizing and directing the comptroller of The City of New York to cancel of record certain taxes and assessments levied upon real property within the territory added to said city by chapter 934 of the Laws of 1895, and issue certificates of redemption from the sales of real property within such territory." (Rec. No. 306.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Harburger	Matteson	Schultz
Addis	DeGraw	Hatch	McGuire	Sears
Adler	Delaney	Hill	McKeown	Shoenek
Allds	Donnelly	Hoes	Meyer G W	Sinsheimer
Armstrong	Dutton	Hoffman	Miller	Smith E LaG
Axtell	Egan	Holbert	Mohring	Stedman
Baker	Eldridge	Hutton	Murphy	Stoneman
Boland	Ellis	Ives	Myers J C	Streifler
Bondy	Farrell	Johnson	Nixon	Sullivan
Brennan E C	Fritz	Kavanaugh	Oliver	Ten Eyck
Brennen J F	Fish	Kelly	Paris	Tiffany
Brown	Fordyce	Kelsey	Perkins	Trainor
Cain	Fuller	Kullman	Peterson	Tripp
Chanler	Gale	Laimbeer	Pickett	Van Hoesen
Clark C J	Gibney	Litchard	Post	Vincent
Collins	Goodsell	Lowenthal	Redington	Vroman
Cottle	Green	Mahar	Reisert	Weekes
Coughtry	Greenwood	Maloney	Roche	Whipple
Cowles	Griggs	Marshall	Sage	Wicke
Crabtree	Guider	Martin	Sanford	Witter
Cross	Hachemeis'r	Mason	Schmid F	Zimmerman
Cullen	Haight			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1043) entitled "An act to provide for the payment of expenses to Edward J. H. Tamsen, which he incurred in the defense of the prosecution brought against him by indictment, and authorizing the board of estimate and apportionment of The City of New York to audit and allow the amount that may be justly due." (Rec. No. 422.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Haight	Miller	Schmid A F
Addis	Dillon	Harburger	Mitchell	Schmid F
Adler	Donnelly	Hatch	Mohring	Schultz
Allds	Dutton	Hays	Mullany	Schulum
Armstrong	Egan	Hoes	Murphy	Seligsberg
Axtell	Eldridge	Hoffman	Murray	Simmons
Baker	Ellis	Holbert	Myers J C	Sinsheimer
Boland	Evarts	Hutton	Nixon	Sloan
Bondy	Farrell	Ives	O'Connor	Stedman
Brennen J F	Finn	Kavanaugh	Oliver	Stoneman
Brewster	Fish	Kelly	Palmer	Streifler
Brown	Fitzgerald	Kullman	Paris	Sullivan
Burr	Fordyce	Laimbeer	Perkins	Taylor
Cain	Fritz	Lowenthal	Peterson	Ten Eyck
Chanler	Fuller	Mahar	Phillips	Tiffany
Clark A L	Gale	Maloney	Pickett	Tremper
Clark C J	Gallagher	Marshall	Pierce	Van Hoesen
Collins	Gibney	Martin	Post	Van Rens'aer
Costello	Glaser	Mason	Raplee	Vincent
Cottle	Goodsell	Matteson	Redington	Wallace
Coughtry	Graney	McEwan	Reisert	Weill
Cowles	Green	McGuire	Roche	Whipple
Crabtree	Greenwood	McKeown	Russell	Williams
Cross	Griggs	McLaughlin	Sage	Witter
Dale	Guider	Meyer G W	Sanford	Zimmerman
Davis	Hachemeis'r	Miles		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1127) entitled "An act to incorporate the Security Assurance Company." (Rec. No. 420.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 24 }

Those who voted in the affirmative, were

Ackert	Cottle	Fritz	Ives	Pickett
Addis	Coughtry	Gale	Johnson	Pierce
Adler	Cowles	Gallagher	Kelly	Post
Allds	Crabtree	Glaser	Kullman	Redington
Armstrong	Cross	Goodsell	Lowenthal	Reisert
Axtell	Cullen	Graney	Mahar	Roche
Baker	Davis	Greenwood	Marshall	Schmid A F
Boland	DeGraw	Griggs	Mason	Schmid F
Bondy	Delaney	Guider	McGuire	Schulum
Brennan EC	Dillon	Haight	McKeown	Shoeneck
Brewster	Donnelly	Harburger	McLaughlin	Sinsheimer
Brown	Dutton	Hatch	Miles	Streifler
Burr	Egan	Hays	Miller	Sullivan
Cain	Eldridge	Hill	Mullany	Trainor
Chanler	Evarts	Hoes	Murphy	Tripp
Clark A L	Farrell	Hoffman	Myers J C	Van Rens'aer
Clark C J	Finn	Holbert	Oliver	Wicke
Costello	Fitzgerald	Hutton	Phillips	

Those who voted in the negative, were

Fish	Martin	Russell	Tompkins	Weekes
Fuller	Matteson	Seligsborg	Van Hoesen	Witter
Green	McEwan	Sloan	Vincent	Wright
Kavanaugh	Palmer	Taylor	Vroman	Zimmerman
Kelsey	Patton	Tiffany	Wallace	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1068) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Hugh Ramsay against the State for balance alleged to be due to him from the State, and to render judgment therefor." (Rec. No. 416.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 124 }
} NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Harburger	Miles	Sears
Addis	DeGraw	Hatch	Miller	Shoeneck
Adler	Delaney	Hill	Mitchell	Simmons
Allds	Donnelly	Hoes	Mohring	Sinsheimer
Armstrong	Dutton	Hoffman	Murphy	Smith E LaG
Axtell	Eldridge	Hubbard	Murray	Stedman
Baker	Ellis	Hutton	Myers J C	Stoneman
Boland	Evarts	Ives	Nixon	Streifer
Bondy	Farrell	Kavanaugh	O'Connor	Sullivan
Brennan E C	Finn	Kelly	Oliver	Taylor
Brennen J F	Fish	Kelsey	Paris	Ten Eyck
Brewster	Fitzgerald	Kullman	Patton	Tompkins
Brown	Fordyce	Litchard	Perkins	Trainor
Cain	Fuller	Lowenthal	Peterson	Tripp
Chanler	Gale	Mahar	Phillips	Van Hoesen
Clark A L	Gallagher	Maloney	Pickett	Vincent
Clark C J	Gibney	Marshall	Pierce	Vroman
Collins	Goodsell	Martin	Post	Weekes
Costello	Graney	Mason	Raplee	Weill
Cottle	Green	Matteson	Redington	Whipple
Coughtry	Greenwood	McEwan	Roche	Williams
Cowles	Griggs	McGwire	Russell	Witter
Crabtree	Guider	McKeown	Sanford	Wright
Cross	Haight	McLaughlin	Schmid A F	Zimmerman
Cullen	Hanna	Meyer G W	Schmid F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 734) entitled "An act to close and strike from the town survey map of Kings county all that portion of Sherman street lying between Vanderbilt avenue and Adams street, as the same is laid down on said map." (Rec. No. 414.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 122 {
} NOES 00 {

Those who voted in the affirmative, were

Ackert	Davis	Hanna	McLaughlin	Schmid F
Addis	DeGraw	Harburger	Meyer G W	Schultz
Adler	Delaney	Hatch	Miles	Sears
Allds	Dillon	Hays	Miller	Shoeneck
Armstrong	Donnelly	Hill	Mohring	Sinsheimer
Axtell	Dutton	Hoffman	Mullany	Sloan
Baker	Egan	Holbert	Murphy	Stedman
Boland	Eldridge	Hubbard	Myers J C	Stoneman
Bondy	Ellis	Ives	Nixon	Streifler
Brennan E C	Evarts	Johnson	O'Connor	Sullivan
Brennen J F	Farrell	Kavanaugh	Palmer	Taylor
Brewster	Finn	Kelly	Paris	Tiffany
Brown	Fitzgerald	Kelsey	Patton	Tompkins
Burr	Fordyce	Kullman	Peterson	Tremper
Cain	Fuller	Laimbeer	Phillips	Tripp
Chanler	Gale	Lowenthal	Pickett	Van Hoesen
Clark A L	Gallagher	Mahar	Pierce	Vincent
Clark C J	Gibney	Maloney	Raplee	Vroman
Collins	Goodsell	Marshall	Redington	Weekes

Costello	Graney	Martin	Reisert	Whipple
Cottle	Green	Mason	Russell	Wicke
Cowles	Griggs	Matteson	Sage	Williams
Cross	Guider	McEwan	Sanford	Witter
Cullen	Hachemeiste	McGuire	Schmid A F	Zimmerman
Dale	Haight			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 439) entitled "An act in relation to the construction of an outlet sewer and appurtenances in Farragut street, from the East river to Hunt's Point road, and in Hunt's Point road from Farragut street to Whittier street, and in Whittier street from Hunt's Point road to Whitlock avenue, and in Whitlock avenue from Whittier street to Westchester avenue, and in Westchester avenue from Whitlock avenue to Edgewater road, and in Edgewater road from Westchester avenue to Jennings street, in The City of New York." (Rec. No. 415.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hoffman	Murray	Shoeneck
Addis	Egan	Holbert	Myers J C	Simmons
Adler	Eldridge	Hutton	Nixon	Sinsheimer
Allds	Ellis	Johnson	O'Connor	Smith E L A G
Armstrong	Evarts	Kavanaugh	Oliver	Stedman
Axtell	Farrell	Kelly	Palmer	Stoneman

Boland	Finn	Kelsey	Paris	Streifler
Bondy	Fitzgerald	Kullman	Patton	Sullivan
Brennan E C	Fordyce	Litchard	Perkins	Taylor
Brennen J F	Fritz	Lowenthal	Peterson	Ten Eyck
Brewster	Fuller	Mahar	Phillips	Tiffany
Burr	Gallagher	Maloney	Pickett	Trainor
Cain	Gibney	Marshall	Pierce	Tremper
Chanler	Glaser	Martin	Post	Tripp
Clark A L	Graney	Mason	Raplee	Van Hoesen
Clark C J	Green	Matteson	Redington	Van Rens'aer
Collins	Greenwood	McEwan	Roche	Vroman
Costello	Guider	McGuire	Russell	Wallace
Coughtry	Hachemeis'r	McLaughlin	Sage	Weill
Cowles	Hanna	Meyer G W	Schmid A F	Whipple
Cross	Harburger	Miller	Schmid F	Wicke
Dale	Hatch	Mitchell	Schultz	Williams
Davis	Hays	Mullany	Schulum	Wright
Delaney	Hoes	Murphy	Seligsberg	Zimmerman
Dillon				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 871) entitled "An act to amend the Real Property Law, being chapter 547 of the Laws of 1896, relating to forms of conveyances." (Rec. No. 398.)

On motion of Mr. Marshall, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dutton	Hays	Miles	Seligsberg
Addis	Egan	Hoes	Miller	Shoeneck
Adler	Eldridge	Hoffman	Mohring	Simmons

Allds	Evarts	Hubbard	Mullany	Sinsheimer
Armstrong	Farrell	Hutton	Murphy	Smith E La G
Axtell	Finn	Ives	Murray	Stedman
Boland	Fish	Johnson	Myers J C	Stoneman
Bondy	Fitzgerald	Kavanaugh	Nixon	Streifler
Brennan E C	Fritz	Kelly	O'Connor	Taylor
Brewster	Fuller	Kelsey	Palmer	Ten Eyck
Brown	Gale	Kullman	Paris	Tiffany
Burr	Gallagher	Litchard	Perkins	Trainor
Cain	Gibney	Lowenthal	Peterson	Tremper
Clark A L	Goodsell	Mahar	Phillips	Van Hoesen
Clark C J	Graney	Maloney	Pickett	Van Rens'aer
Collins	Green	Marshall	Post	Vroman
Cottle	Griggs	Martin	Raplee	Wallace
Coughtry	Guider	Mason	Redington	Weill
Crabtree	Hachemeis'r	Matteson	Roche	Whipple
Cross	Haight	McEwan	Russell	Wicke
Cullen	Hanna	McKeown	Sanford	Witter
DeGraw	Harburger	McLaughlin	Schmid F	Wright
Delaney	Hatch	Meyer G W	Schulum	Zimmerman
Dillon				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 759) entitled "An act to amend the Lien Law, in relation to sales of personal property to satisfy liens." (Rec. No. 419.)

On motion of Mr. Adler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 108 }
 } NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hoffman	Mullary	Sears
Addis	Dillon	Hubbard	Murphy	Seligsberg
Adler	Donnelly	Hutton	Murray	Simmons
Allds	Egan	Ives	Myers J C	Sloan
Armstrong	Ellis	Kavanaugh	Nixon	Smith E LaGr
Axtell	Farrell	Kelly	O'Connor	Stedman
Boland	Finn	Kelsey	Oliver	Stoneman
Bondy	Fitzgerald	Kullman	Palmer	Streifler
Brennen J F	Fritz	Litchard	Patton	Taylor
Brewster	Fuller	Lowenthal	Perkins	Tiffany
Brown	Gallagher	Mahar	Peterson	Tompkins
Cain	Glaser	Maloney	Pickett	Van Hoesen
Chanler	Goodsell	Marshall	Pierce	Van Rens'aer
Clark C J	Green	Martin	Raplee	Vincent
Collins	Griggs	Matteson	Redington	Wallace
Cottle	Hachemeis'r	McEwan	Reisert	Weill
Cowles	Haight	McGuire	Russell	Whipple
Crabtree	Harburger	McKeown	Sanford	Wicke
Cross	Hatch	Meyer G W	Schmid A F	Witter
Dale	Hays	Miles	Schultz	Wright
Davis	Hill	Miller	Schulum	Zimmerman
DeGraw	Hoes	Mohring		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1135) entitled "An act to amend section 383 of the Code of Civil Procedure." (Rec. No. 383.)

Said bill having been announced for a second reading,

On motion of Mr. Finn, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 923) entitled "An act to amend chapter 776 of the Laws of 1896, entitled 'An act to amend chapter 92 of the Laws of 1895, entitled An act to amend chapter 330 of the Laws of 1833, entitled An act to supply the city of Schenectady with water,' relative to the Schenectady water loan, and the several acts amendatory thereof." (Rec. No. 239.)

On motion of Mr. Kavanaugh, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Cullen	Green	McKeown	Schultz
Addis	Dale	Griggs	Meyer G W	Schulum
Adler	Davis	Guider	Miller	Sears
Allds	DeGraw	Hachemeis'r	Mitchell	Seligberg
Armstrong	Delaney	Hanna	Mullany	Simmons
Axtell	Dillon	Harburger	Murphy	Sloan
Baker	Donnelly	Hatch	Murray	Smith E La G
Boland	Dutton	Hays	Nixon	Stoneman
Bondy	Egan	Hoes	O'Connor	Streifler
Brennan E C	Eldridge	Hoffman	Oliver	Sullivan
Brennen J F	Ellis	Hubbard	Palmer	Taylor
Brewster	Evarts	Ives	Paris	Tiffany
Brown	Farrell	Johnson	Perkins	Tompkins
Burr	Finn	Kelly	Peterson	Trainor
Chanler	Fish	Kelsey	Pickett	Tripp
Clark A L	Fitzgerald	Laimbeer	Pierce	Van Hoesen
Clark C J	Fordyce	Litchard	Raplee	Van Rens'aer
Collins	Fritz	Mahar	Redington	Vincent
Costello	Fuller	Maloney	Reisert	Wallace
Cottle	Gale	Marshall	Roche	Weill
Coughtry	Gallagher	Martin	Sage	Whipple
Cowles	Gibney	Mason	Sanford	Williams
Crabtree	Goodsell	Matteson	Schmid A F	Wright
Cross	Graney	McGuire	Schmid F	Zimmerman

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No.

1872) entitled "An act to amend chapter 1027 of the Laws of 1895, entitled 'An act in relation to the issue of mileage books by railroad corporations.'" (Int. No. 946.)

On motion of Mr. Palmer, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Cross	Griggs	McEwan	Sanford
Addis	Cullen	Guider	McGuire	Schmid A F
Adler	Dale	Haight	McKeown	Schulum
Allds	Davis	Hanna	Meyer G W	Sears
Armstrong	DeGraw	Harburger	Miles	Simmons
Axtell	Delaney	Hatch	Miller	Sinsheimer
Baker	Donnelly	Hill	Mohring	Sloan
Boland	Dutton	Hoes	Mullany	Stoneman
Bondy	Egan	Hoffman	Murray	Streifler
Brennan EC	Ellis	Holbert	Myers J C	Taylor
Brennen J F	Evarts	Hutton	Nixon	Tiffany
Brewster	Finn	Ives	O'Connor	Trainor
Brown	Fish	Kavanaugh	Palmer	Tremper
Burr	Fitzgerald	Kelly	Paris	Van Hoesen
Cain	Fritz	Kelsey	Patton	Van Rens'aer
Chanler	Fuller	Laimbeer	Perkins	Vincent
Clark A L	Gale	Litchard	Phillips	Vroman
Clark C J	Gallagher	Lowenthal	Pickett	Weekes
Collins	Gibney	Mahar	Pierce	Weill
Costello	Goodsell	Maloney	Raplee	Wicke
Coughtry.	Graney	Marshall	Reisert	Williams
Cowles	Green	Martin	Roche	Witter
Crabtree	Greenwood	Mason	Sage	Zimmerman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 790) entitled "An act in relation to the qualifications of persons holding public office in The City of New York." (Int. No. 705.)

On motion of Mr. O'Connor, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 115 }
} NOES 8 }

Those who voted in the affirmative, were

Ackert	Cross	Guider	McKeown	Schmid F
Addis	Cullen	Hachemeis'r	McLaughlin	Schultz
Allds	Dale	Haight	Miles	Schulum
Armstrong	Davis	Hanna	Miller	Shoeneck
Axtell	DeGraw	Harburger	Mitchell	Simmons
Baker	Delaney	Hatch	Mohring	Sinsheimer
Boland	Dutton	Hays	Murphy	Sloan
Bondy	Egan	Hill	Murray	Stedman
Brennan EC	Eldridge	Hoes	Myers J C	Stoneman
Brennen J F	Ellis	Hoffman	Nixon	Streifler
Brewster	Farrell	Holbert	O'Connor	Sullivan
Brown	Finn	Hutton	Palmer	Ten Eyck
Burr	Fitzgerald	Ives	Paris	Trainor
Cain	Fordyce	Johnson	Patton	Tremper
Chanler	Fritz	Kavanaugh	Perkins	Van Hoesen
Clark A L	Fuller	Kelsey	Phillips	Van Rens'aer
Clark C J	Gale	Kullman	Pickett	Vroman
Collins	Gallagher	Laimbeer	Post	Wallace
Costello	Gibney	Mahar	Roche	Weekes
Cottle	Glaser	Maloney	Russell	Whipple
Coughtry	Goodsell	Marshall	Sage	Witter
Cowles	Greenwood	Matteson	Sanford	Zimmerman
Crabtree	Griggs	McGuire	Schmid A F	

Those who voted in the negative, were

Adler	Martin	Redington	Williams	Wright
Green	Mason	Seligsberg		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 539) entitled "An act to amend the Fisheries, Game and Forest Law, relating to the killing of deer." (Int. No. 496.)

Said bill having been announced for a second reading,

On motion of Mr. Ives, said bill was laid aside.

Mr. Speaker announced the special order, being the bill (No. 1874) entitled "An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo, and making an appropriation therefor." (Int. No. 419.)

On motion of Mr. Hill, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Harburger	McKeown	Schultz
Addis	Donnelly	Hays	Meyer G W	Schulum
Adler	Dutton	Hill	Miles	Seligsberg
Allds	Egan	Hoes	Mitchell	Simmons
Axtell	Eldridge	Hoffman	Mohring	Sinsheimer
Baker	Evarts	Hubbard	Murphy	Smith E La G
Boland	Farrell	Hutton	Murray	Stedman
Bondy	Finn	Ives	Nixon	Stoneman
Brennan EC	Fish	Johnson	O'Connor	Streifler
Brennen J F	Fordyce	Kavanaugh	Palmer	Sullivan
Brown	Fritz	Kelsey	Paris	Ten Eyck
Burr	Fuller	Kullman	Perkins	Tompkins
Cain	Gale	Laimbeer	Peterson	Trainor
Clark A L	Gibney	Litchard	Pickett	Van Hoesen
Clark C J	Glaser	Lowenthal	Pierce	Van Rens'aer

Collins	Goodsell	Mahar	Post	Vroman
Cottle	Graney	Maloney	Raplee	Weekes
Coughtry	Green	Marshall	Redington	Weill
Crabtree	Greenwood	Martin	Reisert	Wicke
Cross	Griggs	Mason	Russell	Witter
Dale	Guider	McEwan	Sanford	Wright
Davis	Haight	McGuire	Schmid F	Zimmerman
Delaney	Hanna			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Nixon introduced a bill entitled "An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1372), which was read the first time.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3, of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill Int. No. 1372, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this thirty-first day of
[L. s.] March, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,

Private Secretary.

On motion of Mr. Nixon, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Davis	Hill	Mohring	Seligsberg
Addis	DeGraw	Hoes	Mullany	Shoenek
Adler	Delaney	Holbert	Murphy	Simmons
Allds	Dillon	Hubbard	Murray	Sinsheimer
Armstrong	Donnelly	Hutton	Myers J C	Smith E La G
Axtell	Egan	Ives	Nixon	Stedman
Baker	Eldridge	Kavanaugh	O'Connor	Stoneman
Boland	Ellis	Kelly	Oliver	Streifler
Bondy	Farrell	Kelsey	Palmer	Sullivan
Brennan EC	Finn	Laimbeer	Paris	Taylor
Brennen J F	Fish	Litchard	Perkins	Ten Eyck
Brewster	Fitzgerald	Lowenthal	Peterson	Tiffany
Brown	Fritz	Mahar	Phillips	Tompkins
Burr	Fuller	Maloney	Pickett	Trainor
Cain	Gale	Marshall	Pierce	Tremper
Chanler	Gibney	Martin	Post	Van Hoesen
Clark A L	Glaser	Mason	Raplee	Van Rens'aer
Clark C J	Goodsell	Matteson	Redington	Vincent
Costello	Green	McEwan	Reisert	Vroman
Cottle	Greenwood	McGuire	Roche	Wallace
Coughtry	Griggs	McKeown	Russell	Weill
Cowles	Guider	McLaughlin	Sage	Wicke
Crabtree	Hachemeis'r	Meyer G W	Schmid A F	Williams
Cross	Hanna	Miles	Schmid F	Witter
Cullen	Harburger	Miller	Schulum	Zimmerman
Dale	Hays	Mitchell		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby

conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 1881, Int. No. 1031, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this thirty-first day of
[L. s.] March, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,

Private Secretary.

On motion of Mr. Nixon, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hubbard	Myers J C	Shoeneck
Addis	Egan	Ives	Nixon	Simmons
Adler	Eldridge	Johnson	O'Connor	Sinsheimer
Armstrong	Evarts	Kavanaugh	Oliver	Sloan
Axtell	Finn	Kelsey	Paris	Smith E LaG
Baker	Fish	Lainbeer	Patton	Stedman
Boland	Fordyce	Litchard	Perkins	Stoneman
Bondy	Fritz	Lowenthal	Peterson	Streifler
Brennan EC	Fuller	Mahar	Phillips	Sullivan
Brennen J F	Gale	Maloney	Pickett	Taylor
Brewster	Gallagher	Marshall	Pierce	Ten Eyck
Brown	Gibney	Martin	Post	Tiffany
Burr	Glaser	Mason	Redington	Trainor
Chanler	Goodsell	Matteson	Reisert	Tremper
Clark A L	Graney	McGuire	Roche	Tripp
Clark C J	Green	McKeown	Russell	Van Hoesen
Collins	Griggs	McLaughlin	Sage	Vincent
Cottle	Guider	Meyer G W	Sanford	Vroman
Coughtry	Hachemeis'r	Miles	Schmid A F	Wallace
Cowles	Haight	Miller	Schmid F	Weekes
Crabtree	Harburger	Mitchell	Schultz	Whipple

Cullen	Hatch	Mohring	Schulum	Wicke
Davis	Hill	Murphy	Sears	Witter
DeGraw	Hoes	Murray	Seligsberg	Zimmerman
Dillon	Holbert			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *March 31, 1898.*

To the Legislature:

Events are now transpiring of so grave and general import that the attention of every enlightened people is fixed upon our own. The crisis which our National government now meets involves those deep considerations which affect the future of the race. To aid that government by approval and support; to sustain its hand when raised for justice and fair play, is the duty of every State. No hour has ever been so full of peril that New York has faltered while it passed. Because of her past history and her present greatness, she should be the first to understand the meaning of to-day. After long reflection and with an earnest desire to do that which ought to be done, and to refrain from that which ought not to be done, I recommend that before you adjourn, you take such action as your wisdom shall decide upon, to provide against such urgent needs as the future may disclose.

I hope the day is still remote which shall consume the means you set apart. But if the time should come when forbearance and National self-respect can no longer stay together, there can be but one answer to the duty thus arising.

I believe you will, not in haste or anger toward any other people, but in the deliberate purpose to defend your own, and as a sign of hope to the struggling and distressed, realizing that patriotism without preparation is as fragile as a dream, so act that the enlightened sentiment of the world will justify you.

FRANK S. BLACK.

By unanimous consent,

Mr. Nixon introduced a bill entitled "An act making an appropriation for the expenses of the National Guard, the Naval Militia and volunteers when called into service for the public defense" (Int. No. 1375), which was read the first time.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill Int. No. 1375, entitled "An act making an appropriation for the expenses of the national guard, the naval militia and volunteers when called into service for the public defense."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this thirty-first day of
[L. S.] March, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,

Private Secretary.

On motion of Mr. Nixon, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Haight	McGuire	Schmid F
Addis	Davis	Hanna	McKeown	Schultz
Adler	DeGraw	Harburger	Meyer G W	Sears
Allds	Delaney	Hatch	Miles	Shoeneck
Armstrong	Dillon	Hays	Miller	Simmons
Axtell	Donnelly	Hill	Mitchell	Sloan
Baker	Dutton	Hoes	Mullany	Smith E LaG
Boland	Egan	Hoffman	Murphy	Stedman
Bondy	Eldridge	Holbert	Murray	Stoneman
Brennan EC	Ellis	Hubbard	Myers J C	Streifler
Brennen J F	Evarts	Hutton	Nixon	Taylor
Brewster	Farrell	Ives	Oliver	Ten Eyck

Brown	Finn	Johnson	Palmer	Tiffany
Burr	Fish	Kavanaugh	Paris	Tompkins
Cain	Fitzgerald	Kelly	Perkins	Tremper
Chanler	Fordyce	Kelsey	Peterson	Tripp
Clark A L	Fritz	Kullman	Phillips	Van Rens'aer
Clark C J	Fuller	Laimbeer	Pierce	Vincent
Collins	Gale	Litchard	Post	Wallace
Costello	Gallagher	Lowenthal	Raplee	Weekes
Cottle	Glaser	Mahar	Redington	Weill
Coughtry	Goodsell	Maloney	Reisert	Whipple
Cowles	Graney	Marshall	Roche	Williams
Crabtree	Greenwood	Martin	Russell	Witter
Cross	Guider	Mason	Sanford	Zimmerman
Cullen	Hachemeis'r	McEwan	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Nixon introduced a bill, entitled "An act to appropriate money for the support of the insane, under the provisions of chapter 545 of the Laws of 1896" (Int. No. 1373), which was read the first time.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3, of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill Int. No. 1373, entitled "An act to appropriate money for the support of the insane, under the provisions of chapter 545 of the Laws of 1896."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this thirty-first day of
[L. S.] March, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,

Private Secretary.

On motion of Mr. Nixon, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Mohring	Schultz
Addis	Donnelly	Hill	Mullany	Schulum
Adler	Dutton	Hoes	Murphy	Sears
Allds	Egan	Holbert	Murray	Shoeneck
Axtell	Eldridge	Hubbard	Myers J C	Simmons
Baker	Ellis	Hutton	Nixon	Sloan
Boland	Evarts	Ives	O'Connor	Smith E La G
Bondy	Farrell	Johnson	Oliver	Stedman
Brennen J F	Fish	Kelly	Palmer	Stoneman
Brewster	Fitzgerald	Kelsey	Paris	Sullivan
Brown	ForJyce	Kullman	Patton	Taylor
Burr	Fritz	Laimbeer	Perkins	Ten Eyck
Chanler	Fuller	Litchard	Peterson	Tiffany
Clark A L	Gallagher	Mahar	Phillips	Trainor
Clark C J	Gibney	Maloney	Pickett	Tremper
Collins	Glaser	Marshall	Pierce	Tripp
Costello	Goodsell	Martin	Post	Van Rens'laer
Cottle	Graney	Mason	Raplee	Vincent
Coughtry	Green	McEwan	Redington	Vroman
Cowles	Greenwood	McGuire	Reisert	Weekes
Crabtree	Griggs	McKeown	Roche	Weill
Cross	Hachemeis'r	McLaughlin	Russell	Whipple
Cullen	Haight	Myers G W	Sage	Williams
Dale	Hanna	Miles	Sanford	Witter
DeGraw	Harburger	Miller	Schmid A F	Zimmerman
Delaney	Hatch	Mitchell	Schmid F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Nixon introduced a bill entitled "An act to provide ways and means for the support of government" (Int. No. 1374), which was read the first time.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill Int. No. 1374, entitled "An act to provide ways and means for the support of government."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this thirty-first day of
[L. s.] March, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,

Private Secretary.

On motion of Mr. Nixon, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dale	Hachemeis'r	McEwan	Roche
Addis	Davis	Haight	McGuire	Russell
Adler	DeGraw	Hanna	McKeown	Sage
Allds	Delaney	Harburger	McLaughlin	Sanford
Armstrong	Dillon	Hatch	Meyer G W	Schmid A F
Axtell	Donnelly	Hays	Miles	Schmid F
Baker	Egan	Hill	Miller	Schultz
Boland	Eldridge	Hoes	Mitchell	Schulum
Bondy	Ellis	Hoffman	Mohring	Sears

Brennan E C	Evarts	Holbert	Mullany	Shoeneck
Brennen J F	Farrell	Hubbard	Murphy	Simmons
Brewster	Fish	Hutton	Murray	Sinsheimer
Brown	Fitzgerald	Ives	Myers J C	Sloan
Burr	Fordyce	Johnson	Nixon	Stedman
Cain	Fritz	Kavanaugh	Oliver	Streifler
Chanler	Fuller	Kelly	Palmer	Sullivan
Clark A L	Gale	Kelsey	Paris	Ten Eyck
Clark C J	Gallagher	Kullman	Patton	Tompkins
Collins	Gibney	Laimbeer	Perkins	Tremper
Costello	Glaser	Litchard	Peterson	Van Rens'aer
Cottle	Goodsell	Mahar	Phillips	Vroman
Coughtry	Graney	Maloney	Pickett	Weekes
Cowles	Green	Marshall	Pierce	Whipple
Crabtree	Greenwood	Martin	Post	Williams
Cross	Griggs	Mason	Raplee	Wright
Cullen	Guider	Matteson	Redington	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Pierce offered, for the consideration of the House, a resolution in the words following:

Resolved, That the Speaker of the Assembly appoint a special committee of seven members to continue the investigation as to what more lands shall be acquired within the Forest Preserve in order to protect the water-sheds and for the Agricultural Experimental Station. Such committee shall have power to prosecute its inquiries in every direction necessary to arrive at a full and accurate knowledge of the subject; to send for books, papers and persons; to examine witnesses; to employ a messenger who shall have the power to serve summonses and papers, and to incur necessary expenses for traveling, renting rooms and hotel accommodations. Such committee shall report the result of its investigation to the Legislature not later than February 1, 1899, together with such recommendations as to necessary legislation as it may deem advisable. The expense of such investigation, not to exceed \$3,000, shall be paid out of the appropriation for contingent expenses of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 112 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Cross	Haight	McLaughlin	Schultz
Addis	Cullen	Harburger	Miles	Schulum
Adler	Dale	Hays	Miller	Sears
Allds	DeGraw	Hill	Mitchell	Shoeneck
Armstrong	Delaney	Hoffman	Mullany	Sinsheimer
Axtell	Donnelly	Hubbard	Murphy	Sloan
Baker	Dutton	Hutton	Murray	Stedman
Boland	Eldridge	Johnson	Myers J C	Streifler
Bondy	Ellis	Kavanaugh	O'Connor	Sullivan
Brennan E C	Evarts	Kelsey	Oliver	Taylor
Brennen J F	Farrell	Kullman	Palmer	Ten Eyck
Brewster	Fish	Laimbeer	Patton	Tompkins
Brown	Fitzgerald	Litchard	Peterson	Trainor
Burr	Fritz	Lowenthal	Phillips	Tripp
Cain	Fuller	Mahar	Pierce	Van Hoesen
Chanler	Gale	Maloney	Post	Vincent
Clark A L	Gallagher	Marshall	Raplee	Vroman
Clark C J	Gibney	Martin	Reisert	Weekes
Collins	Goodsell	Mason	Roche	Whipple
Costello	Graney	Matteson	Sage	Williams
Cottle	Greenwood	McGuire	Sanford	Wright
Cowles	Griggs	McKeown	Schmid F	Zimmerman
Crabtree	Hachemeis'r			

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That the chairman of the Senate finance committee shall appoint therefrom four members, and the chairman of the Assembly ways and means committee shall appoint therefrom six members, who, together with the chairmen of said committees, shall constitute and be a committee to investigate, during the recess, into expenditures on the part of the State government in the several departments thereof and the necessity therefor, for the purpose of obtaining and furnishing such information as may enable the Legislature hereafter to be convened, to frame the general appropriation and supply bills, and to better determine as to the expenditures which should be made by the State, and the amount of the same, to employ such assistants as in the opinion of the committee may be necessary for the performance of their duties, and to report their conclusions to the next regular session of the Legislature on or before the 1st day of

February, 1899. The committee is also further authorized and empowered to appoint such sub-committees as may be necessary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES	112	}
{ NOES	00	}

Those who voted in the affirmative, were

Ackert	Dillon	Hoffman	Mitchell	Schulum
Addis	Dutton	Hubbard	Mullany	Sears
Adler	Egan	Hutton	Murphy	Seligsberg
Allds	Eldridge	Johnson	Myers J C	Simmons
Armstrong	Ellis	Kavanaugh	Nixox	Sloan
Axtell	Farrell	Kelsey	Oliver	Smith E LaG
Baker	Finn	Kullman	Palmer	Stedman
Boland	Fitzgerald	Laimbeer	Paris	Stoneman
Brennan EC	Fordyce	Litchard	Perkins	Streifler
Brennen J F	Fritz	Lowenthal	Peterson	Sullivan
Brewster	Fuller	Mahar	Phillips	Taylor
Burr	Gale	Maloney	Pierce	Tiffany
Chanler	Gibney	Marshall	Post	Trainor
Clark A L	Glaser	Martin	Raplee	Tripp
Clark C J	Goodsell	Mason	Redington	Van Hoesen
Costello	Graney	Matteson	Reisert	Vincent
Cottle	Greenwood	McEwen	Roche	Wallace
Coughtry	Guider	McGuire	Russell	Weill
Crabtree	Hachemeis'r	McKeown	Sage	Whipple
Cross	Haight	Meyer G W	Sanford	Williams
Dale	Harburger	Miles	Schmid A F	Wright
Davis	Hays	Miller	Schultz	Zimmerman
Delaney	Hill			

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Peterson offered for the consideration of the House, a resolution in the words following:

Whereas, It has been deemed wise and prudent to employ the convicts now confined in the various penal institutions of this State in the different trades and in the manufacture of certain articles for the purpose of retaining their mental and physical

strength and vigor and to endeavor to make these institutions self-sustaining without competing with free, honest labor outside, and

Whereas, There are reasonable grounds to believe from most authentic sources that the employment of said prisoners is competing, and does compete, with free, honest labor outside, and there is a growing belief and sentiment among the labor organizations and working classes generally that a continuation of said employment will drive thousands of honest men from respectable callings and make it impossible for them to earn a living; therefore, be it

Resolved, That the Speaker of the Assembly be, and he hereby is, authorized and empowered to appoint a special committee of five members of the Assembly, with full power and authority to investigate all and singular the matters hereinbefore referred to, and particularly to ascertain how far such labor shall be permitted so as not to interfere with free, honest labor outside, and also to devise and suggest some additional means other than the employment of said convicts to assist in making said institutions wholly self-sustaining; that such committee have power and authority to prosecute its inquiries in every direction necessary to arrive at a full and accurate knowledge of the subject; to hold sessions in any of the cities and municipalities of this State; to summon and examine witnesses and cause to be produced before it books, papers and records; to employ, if in its judgment they think necessary, one attorney, one stenographer and one messenger, who shall have power and authority to serve summons and subpoenas; and to incur necessary committee meeting-rooms, hotel, traveling and incidental expenses. Such committee may meet after the adjournment of this Legislature, in making said investigation, and shall report to the next Legislature the result thereof with such recommendations and proposed legislation as in its judgment the public interests require. The expenses of such investigation shall not exceed the sum of \$6,000, and shall be paid out of the appropriation for contingent expenses of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Guider	McGuire	Schmid A F
Addis	Delaney	Hachemeis'r	McKeown	Schultz
Adler	Dillon	Haight	McLaughlin	Schulum
Allds	Donnelly	Hanna	Miles	Sears
Axtell	Dutton	Hatch	Miller	Seligsberg
Baker	Egan	Hays	Mitchell	Simmons
Boland	Eldridge	Hoes	Mohring	Sinsheimer
Bondy	Ellis	Hoffman	Mullany	Sloan
Brennan E C	Evarts	Holbert	Murray	Smith E La G
Brennen J F	Farrell	Hubbard	Myers J C	Stoneman
Brewster	Finn	Hutton	Nixon	Streifler
Burr	Fish	Ives	Oliver	Sullivan
Cain	Fitzgerald	Johnson	Palmer	Taylor
Chanler	Fordyce	Kelly	Paris	Tiffany
Clark C J	Fritz	Kelsey	Patton	Trainor
Collins	Fuller	Kullman	Perkins	Tremper
Costello	Gale	Laimbeer	Peterson	Van Hoesen
Cottle	Gallagher	Litchard	Pickett	Van Rens'aer
Coughtry	Gibney	Lowenthal	Pierce	Vroman
Cowles	Glaser	Mahar	Post	Wallace
Crabtree	Goodsell	Maloney	Raplee	Weill
Cross	Graney	Marshall	Redington	Whipple
Cullen	Green	Mason	Roche	Williams
Dale	Greenwood	Matteson	Russell	Witter
Davis	Griggs	McEwan	Sanford	Zimmerman

Mr. E. C. Brennan offered for the consideration of the House a resolution, in the words following:

Resolved, That the Speaker of the Assembly be authorized and directed to appoint a special committee of not more than five members, which committee shall be, and is hereby, empowered to make full and thorough inquiry into the operation and practical working of the Charter of The City of New York, embracing the various departments of the city government, and especially in relation to the effect upon the interests of the respective boroughs, and with respect to such matters generally as pertain to the administration of such city government to the end that the said committee may be intelligently informed by the insight

afforded by such inquiry and enabled to recommend any further legislation, if any required, to supply omissions or remedy defects that may be ascertained in such charter, and said committee shall have the power to sit during the recess of the Legislature, and to send for persons and papers, subpoena witnesses, and to employ counsel, a stenographer and such other clerical assistance as may, in its judgment, be necessary, and shall report its proceedings, with conclusions, to the Legislature on or before the 1st day of February, 1899. Provided, however, that the expenses of this commission shall not exceed \$3,000.

Said resolution was referred to the committee on rules.

Mr. F. Schmid offered for the consideration of the House a resolution, in the words following:

Whereas, It being the universal sentiment of this Legislature that an appropriate expression of patriotism be conveyed to the Congress of the United States in the present trying crisis, and,

Whereas, The public press of this city shows this morning that Col. Patrick Roche, a member of this body, has expressed in the best possible manner the views of this Legislature in this respect,

Resolved, That the opinion of Colonel Roche in the public press of this morning be agreed upon as the unanimous sentiment of this House, and that he be delegated to bear it to the Congress of the United States upon the adjournment of this Legislature. The sentiment of Colonel Roche, as printed this morning, is:

“The President can’t act too quick to suit me. I think that the Democrats in Congress, as well as in the State Legislature, are of one mind on this subject, and that is: We want prompt satisfaction for the calamity in Havana harbor.”

Said resolution was referred to the committee on military affairs.

Mr. Bondy offered for the consideration of the House a resolution, in the words following:

Resolved, That the Sergeant-at-Arms of the Assembly be instructed and authorized to take charge and perform all necessary duties required by any committee of the Assembly that shall conduct investigation or examination authorized by the Assembly to be performed by said committees during recess.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Allds offered for the consideration of the House a resolution in the words following:

Resolved, That Anderson D. Lawrence, Clerk's messenger in charge of the pages, be directed to remain for thirty days after the adjournment of the Legislature, to see to the proper shipping of the boxes and other matter for the members, under the direction of the Clerk of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hill offered for the consideration of the House, a resolution in the words following:

Whereas, The members of the Assembly of the State of New York are deeply interested and sympathize with the Irish people in their efforts to obtain home rule, and feel that the granting of the same would result in happiness and prosperity both to Great Britain and Ireland,

Now, therefore, be it resolved, That the Assembly of the State of New York, at the close of its annual session, extends to the Irish Nationalist party and all Irish home rulers in both Houses of Parliament its sincere sympathy with all constitutional efforts on their part looking to the passage of such an act as will give Ireland in the near future that measure of autonomy consistent alike with the wishes of a free people, forming an important part of the British empire and the honor and dignity of the United government.

Be it further resolved, That engrossed copies of these resolutions be forwarded respectively to Mr. John Dillon, M. P., Irish Nationalist leader, to the Rt. Hon. the Earl of Kimberley, to the Rt. Hon. William E. Gladstone and to the Rt. Hon. the Earl of Roseberry.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr Nixon offered for the consideration of the House, a resolution in the words following:

Whereas, The library of the Assembly should be accessible at all times during the year to the members of the Assembly and the officers thereof, and the printed reports, documents, laws and journals should be kept intact, and proper indices provided for present reference and future guidance; therefore,

Resolved, That the Librarian and Assistant Librarian of the Assembly, under and in compliance with its rules, be requested,

and they are hereby, authorized and directed to devote the necessary time and use proper diligence until their successors are duly appointed according to law, in preserving all records, books, documents and proceedings composing the Assembly Library, and preparing indices therefor, and that they afford the facilities during said term for proper access to said library.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the Senate bill (No. 741) entitled "An act to authorize the city of Rochester to levy and collect a tax for the purpose of erecting a new public school building" (Rec. No. 193), with a message that said bill was duly passed by the Senate March 10, 1898, a majority of the Senators elected voting in favor thereof, and three-fifths being present. Said bill was transmitted to the Assembly and returned by the Assembly March 15, 1898, with a message that the Assembly had concurred in the passage of the same. Said bill was thereupon, on March 15, 1898, transmitted to the mayor of the city of Rochester for a hearing, pursuant to the provisions of the Constitution, and was, on March 30, 1898, returned by the mayor of said city with a message that a public hearing having been had upon said bill, as provided by law, the said bill had not been accepted by the said city or by the mayor and local legislative body thereof, said bill was thereupon, on March 29, 1898, again passed by the Senate, the President stating the question to be, "Shall this bill become a law, notwithstanding the objections of the mayor and a majority of the common council of said city of Rochester?" and it was determined in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present.

Mr. Speaker stated the question to be, "Shall this bill become a law, notwithstanding the objections of the mayor and a majority of the common council of said city of Rochester?"

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	Dillon	Hays	Mitchell	Seligsberg
Addis	Donnelly	Hoes	Mohring	Simmons
Adler	Egan	Hoffman	Mullany	Sloan
Allds	Eldridge	Hubbard	Murray	Smith E LaG
Armstrong	Evarts	Hutton	Myers J C	Stedman
Baker	Farrell	Ives	O'Connor	Stoneman
Boland	Finn	Johnson	Oliver	Streifler
Bondy	Fitzgerald	Kavanaugh	Palmer	Taylor
Brennan E C	Fordyce	Kelly	Patton	Ten Eyck
Brewster	Fuller	Kelsey	Perkins	Tiffany
Brown	Gale	Kullman	Phillips	Trainor
Cain	Gallagher	Laimbeer	Pickett	Tremper
Clark A L	Gibney	Litchard	Pierce	Van Hoesen
Clark C J	Goodsell	Mahar	Raplee	Van Rens'aer
Collins	Graney	Maloney	Redington	Vincent
Cottle	Green	Marshall	Roche	Wallace
Coughtry	Greenwood	Martin	Russell	Weill
Cowles	Griggs	Matteson	Sage	Whipple
Crabtree	Hachemeis'r	McEwan	Sanford	Wicke
Cullen	Haight	McKeown	Schmid F	Williams
Dale	Hanna	McLaughlin	Schultz	Wright
Davis	Hatch	Miles	Sears	Zimmerman
Delaney				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Senate bill (No. 45) entitled "An act to authorize the city of Buffalo to use land acquired pursuant to chapter 547 of the Laws of 1864, entitled 'An act to authorize the common council of the city of Buffalo to lay out a public ground for the purpose of maintaining and protecting a sea wall or breakwater along the shore or margin of Lake Erie,' for a public street or highway" (Rec. No. 14), with a message that said bill was duly passed by the Senate, January 31, 1898, a majority of all the Senators elected voting in favor thereof and three-fifths

being present. Said bill was thereupon transmitted to the Assembly and returned by the Assembly March 15, 1898, with a message that the Assembly had concurred in the passage of the same. Said bill was thereupon on March 15, 1898, transmitted to the mayor of the city of Buffalo for a hearing, pursuant to the provisions of the Constitution, and was on March 30, 1898, returned by the mayor of said city with a message that said bill had not been accepted by the mayor or by said city. Said bill was thereupon again duly passed, the President stating the question to be, "Shall this bill become a law, notwithstanding the objections of the mayor of the city of Buffalo thereto?" and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof, and three-fifths being present.

Mr. Speaker stated the question to be, "Shall this bill become a law, notwithstanding the objections of the mayor of the city of Buffalo thereto?"

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
 { NOES 21 }

Those who voted in the affirmative, were

Addis	Davis	Hays	McLaughlin	Sinsheimer
Adler	DeGraw	Hill	Miles	Sloan
Allds	Delaney	Hoes	Miller	Smith E LaG
Armstrong	Dutton	Holbert	Murphy	Stedman
Axtell	Egan	Hubbard	Murray	Stoneman
Baker	Eldridge	Hutton	Nixon	Taylor
Bondy	Ellis	Ives	Oliver	Ten Eyck
Brennan EC	Evarts	Johnson	Paris	Tiffany
Brennen J F	Finn	Kavanaugh	Patton	Tremper
Brewster	Fish	Kelly	Perkins	Tripp
Burr	Fitzgerald	Kelsey	Peterson	Van Hoesen
Clark A L	Fordyce	Litchard	Pierce	Van Rens'aer

Clark C J	Fritz	Lowenthal	Post	Vincent
Costello	Fuller	Marshall	Raplee	Wallace
Cottle	Goodsell	Martin	Roche	Weekes
Coughtry	Graney	Mason	Russell	Whipple
Cowles	Greenwood	Matteson	Schmid F	Williams
Crabtree	Hanna	McEwan	Sears	Witter
Cross	Hatch	McGuire	Simmons	Zimmerman
Cullen				

Those who voted in the negative, were

Brown	Green	Maloney	O'Connor	Seligberg
Cain	Griggs	Myers J C	Palmer	Streifer
Chanler	Haight	Mitchell	Sage	Wicke
Collins	Mahar	Mullany	Schulum	Wright
Donnelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication was received from Hon. C. S. Cummings, mayor of the city of Gloversville, returning the bill (No. 1178) entitled "An act to amend chapter 55 of the Laws of 1890, entitled 'An act to incorporate the city of Gloversville,' and the several acts amendatory thereof" (Int. No. 974), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. C. S. Cummings, mayor of the city of Gloversville, returning the bill (No. 1177) entitled "An act concerning the readjustment, settlement and collection of arrearages of unpaid city and school taxes, and assessments for local improvements, in the city of Gloversville, and to enforce the payment thereof" (Int. No. 973), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Robert A. Van Wyck, mayor of the City of New York, returning the bill (No. 1252) entitled "An act for the relief of William S. Wynn and James C. Wynn" (Int. No. 1007), with a message that said mayor, after a

public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Robert A. Van Wyck, mayor of The City of New York, returning the bill (No. 358, Senate reprint No. 564) entitled "An act to exempt the University Settlement Society of New York and the Educational Alliance from taxation, assessment and water rates" (Int. No. 351), with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

A communication was received from Hon. Charles Peterson, mayor of the city of Lockport, returning the bill (No. 322, Senate reprint No. 659) entitled "An act to authorize the establishment and operation of a system for lighting the city of Lockport, to empower the common council of said city to raise the necessary funds therefor; and to establish a board of light commissioners for said city" (Int. No. 317), with a message that said mayor, and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

A communication was received from Hon. Jerome DeWitt, mayor of the city of Binghamton, returning the bill (No. 1404) entitled "An act to provide for the taxing and licensing of dogs in the city of Binghamton" (Int. No. 1140), with a message that said mayor, and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

A communication was received from Hon. Jerome DeWitt, mayor of the city of Binghamton, returning the bill (No. 167) entitled "An act to authorize and empower the city of Binghamton to audit, allow and pay to George E. Green, ex-mayor of said city, a sum not exceeding \$1,197.70 to reimburse said George E. Green for moneys expended by him for the benefit of said city while mayor thereof, without previous appropriations" (Int. No. 167), with a message that said mayor, and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. McEwan presented the report of the special committee of the Assembly appointed to continue the investigation as to what

lands should be acquired within the Forest Preserve in order to protect the watersheds thereon; which was laid upon the table and ordered printed.

(See Document.)

Mr. Speaker presented the ninth annual report of the State Commission in Lunacy for the year ending September 30, 1897; which was laid upon the table and ordered printed.

(See Document.)

Petitions of Woman's Christian Temperance Union in favor of an anti-treating law, were presented by Messrs. Speaker, Witter, Matteson, McEwan, Whipple and E. La G. Smith.

The Senate returned the bill (No. 1881) entitled "An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1031), with a message that they have agreed to the report of the committee of conference thereon.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 296, Senate reprint No. 796; Assembly reprint No. 1875) entitled "An act making appropriations for the support of government," with a message that they have agreed to the report of the committee of conference thereon.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to appropriate money for the support of the insane, under the provisions of chapter 545 of the Laws of 1896, chapter 944 of the Laws of 1896, and chapter 460 of the Laws of 1897." (No. 1883, Int. No. 1373.)

"An act to provide ways and means for the support of government." (No. 1884, Int. No. 1374.)

"An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations." (No. 1882, Int. No. 1372.)

"An act to provide for the support and maintenance of the Woodhaven fire department of the town of Jamaica, borough of Queens, in The City of New York." (No. 1586, Int. No. 1212.)

"An act to facilitate State Commerce by increasing the depth of water in the Erie basin at Buffalo, and making an appropriation therefor." (No. 1874, Int. No. 419.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 889, Assembly reprint No. 1849) entitled "An act to release to James Cassaday all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Deerpark, county of Orange and State of New York" (Rec. No. 255), with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills:

"An act making an appropriation for the proper equipment, improvement and betterment of the Rome State Custodial Asylum, and to erect additional buildings therefor." (No. 1302, Senate reprint No. 1158; Int. No. 303.)

"An act to amend section 616 of the Code of Criminal Procedure, in relation to witnesses' fees." (No. 1229, Senate reprint No. 1159; Int. No. 491.)

"An act to amend the Agricultural Law, in relation to penalties." (No. 1489, Senate reprint No. 1157; Int. No. 766.)

"An act to amend the Lien Law, in relation to the filing of notice." (No. 906, Senate reprint No. 1160; Int. No. 255.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act for the relief of the Young Men's Christian Association of Mount Vernon, N. Y., a religious, charitable and benevolent corporation." (No. 1255, Int. No. 1010.)

"An act to amend the Banking Law, in relation to the investment of the deposits and income of building and loan associations." (No. 993, Int. No. 849.)

"An act for the relief of the English Lutheran Church of the city of Mount Vernon, N. Y., a religious corporation." (No. 404, Int. 391.)

"An act concerning certain corporations." (No. 1588, Int. No. 1214.)

"An act to reappropriate certain unexpended balances of former appropriations." (No. 1772, Int. No. 1305.)

"An act to provide for the construction of a swing-bridge over the Champlain canal, near Burton's sawmills, in the town of Waterford, and making an appropriation therefor." (No. 1722, Int. No. 935.)

"An act to provide for an investigation into the causes of contagious abortion in cows and the best means of its prevention in the dairy herds of the State." (No. 1765, Int. No. 1297.)

"An act to amend chapter 312 of the Laws of 1861, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor,' relating to the power of the trustees of said village to acquire a water-works system and to borrow money for sewer and water purposes." (No. 1216, Int. No. 999.)

"An act to amend section 554 of the Penal Code, relating to larceny by false pretence." (No. 1652, Int. No. 740.)

"An act to amend chapter 541 of the Laws of 1897." (No. 1822, Int. No. 1346.)

"An act authorizing the Superintendent of Public Works to improve and change the channels of the streams in the town of Mama-keating, in Sullivan county, known as the Basha's kill and Pine kill, at their junction, and making an appropriation therefor." (No. 1492, Int. No. 258.)

"An act to amend section 1771 of the Code of Civil Procedure." (No. 1627, Int. No. 1264.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution providing for the printing of 3,000 copies in German of the bill (No. 1819) relating to primary elections, with a message that they have concurred in the passage of the same.

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Governor, and inform him that the Assembly has completed its labors and that it is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Nixon and Donnelly.

Mr. Kelsey offered for the consideration of the House, a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to inform the Senate that the Assembly has completed its labors and that it is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Kelsey and Roche.

Senators Malby and Ahearn, a committee on the part of the Senate appeared in the Assembly chamber and announced that the Senate had completed its labors and was ready to adjourn.

Mr. Nixon, from the committee of the House appointed to wait upon the Governor and inform him that the Assembly has completed its labors and is ready to adjourn, reported that they have performed that duty.

Mr. Kelsey, from the committee of the House appointed to wait upon the Senate and inform that body that the Assembly has completed its labors and is ready to adjourn, reported that they have performed that duty.

Mr. Speaker announced the following as the officers to remain after the session, pursuant to section 1 of chapter 477 of the Laws of 1895: Archie E. Baxter, Henry L. Gates, Sanford W. Smith, John A. Cole, John R. Glover.

Mr. Speaker announced the following as officers of the Assembly to attend the opening of the next session, pursuant to chapter 682 of the Laws of 1892, as amended by chapter 24 of the Laws of 1893:

Doorkeepers.—William H. Craig, Chas. R. Hotaling and A. M. Seymour.

Messengers.—Anderson D. Lawrence and John G. Malone.

Pages.—Eddie Matthews, D. L. Goewey, J. L. Loughran, Columbus P. Leonard, William A. Ross and Charles H. Foster.

The hour of 2.30 o'clock having arrived, Mr. Speaker said:

Gentlemen of the Assembly.—The hour of final adjournment has arrived, and it is not unbecoming in me to speak a word of farewell, and at the same time to briefly review the record of the session of 1898. A Legislature must always be judged by its actions, and not by a garbled or falsified report of them; and I have every confidence that when the heat of the contest has subsided it will be admitted that this now expiring Legislature has done nothing for which it need feel otherwise than entire satisfaction.

It can truthfully be said that the interests of the people have been our interests, and that our labors will ultimately produce great public satisfaction.

In passing the primary bill, thus guaranteeing to the electors the priceless boon of pure primaries, the Legislature has wisely supplemented the beneficent statutes enacted for the purification of the ballot.

We have inaugurated a plan which, if endorsed by the next Legislature, will enable the people of the State, by popular vote, to decide whether they shall desire to have the sessions of the Legislature annually or biennially. There seems to be a popular wish for this change, and it is our duty to permit an expression of it.

The excitement in the early part of the session attending the demand for an investigation of the recent expenditures by the canal improvements resulted in the passage of a resolution providing for the appointment of a commission to carry out this investigation. The question early arose as to whether the investigation should be by a committee of the Legislature or at the hands of an outside commission. The commission which has been appointed has been so universally commended as to prove a very clear vindication of the course finally adopted by the Legislature.

We have continued the good work inaugurated a year ago for the preservation of the Forest preserve.

This Legislature sees the completion of the Capitol.

It has been deemed the wiser policy to refrain from any amend-

ment of the Greater New York Charter until a sufficient length of time should elapse to determine just what changes were absolutely necessary. That this plan was the proper one is shown by the fact that although the charter has been in active interpretation for three months, but little change seems necessary to the proper conduct of the affairs of the great municipality.

Our tax rate this year is the phenomenally low rate of 2.08—the lowest tax rate in years. A decrease of 27 points from the tax rate of last year can be ascribed to the increase in the assessed valuation of the real property of the State, and the balance of the decrease of 33 points is directly due to the rigid economy exercised by the Legislature in its general and special appropriations.

There are many other matters of great interest that I might rehearse or touch upon, but they are so fresh in your recollection that it is needless for me to recall them to you.

We adjourn to-day, March 31st, the earliest date in many years, but the experience shows that it is not an improper date when a Legislature has worked as faithfully and earnestly from the day of its first meeting as has this Legislature of 1898.

I can not take leave of you officially without tendering my sincere personal thanks for the great courtesies that have been shown me in the trying position of presiding over the deliberations of a House so closely divided in its political lines. You have shown me every courtesy, and my sincere thanks are due you for it, and gratefully extended.

I shall follow your careers with the greatest interest in after life, and will be pleased to extend whatever testimony it may be in my power to the faithful public service performed by you.

My greatest regret is that our official relations can not continue, but the inevitable mutations of human interests prevents.

And now, by virtue of the concurrent resolution of the Senate and Assembly, I declare this House adjourned without date.

A. E. BAXTER,

Clerk.

ADDENDA.

On page 978, after the word "reading," in line 2, insert the words "was read in the words following.

Concurrent resolution of the senate and assembly, proposing amendments to article three, sections two, six and twenty-two, article four, section three; and article ten, section six of the constitution, relating to biennial sessions of the legislature and appropriation bills.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Resolved (if the assembly concur), That the several articles and sections of the constitution hereinafter specified be amended to read as follows:

Article three. § 2. [The senate shall consist of fifty members, except as hereinafter provided. The senators elected in the year eighteen hundred and ninety-five shall hold their offices for three years, and their successors shall be chosen for two years. The assembly shall consist of one hundred and fifty members, who shall be chosen for one year.] The senate shall consist of fifty members, except as hereinafter provided. The assembly shall consist of one hundred and fifty members. Senators shall be chosen for four years and members of the assembly for two years.

Article three. § 6. Each member of the legislature shall receive for his services an annual salary of one thousand dollars. The members of either house shall also receive the sum of one dollar for every ten miles they shall travel in going to and returning from their place of meeting, once in each session, on the most usual route. Senators, when the senate alone is convened in extraordinary session, or when serving as members of the court for the trial of impeachments, and such members of the assembly, not exceeding nine in number, as shall be appointed managers of an impeachment, shall receive an additional allowance of ten dollars a day.

Article three. § 22. [No provision or enactment shall be embraced in the annual appropriation or supply bill, unless it relates specifically to some particular appropriation in the bill; and any

such provision or enactment shall be limited in its operation to such appropriation.] A general bill making appropriations for the support of government, or a supply bill, shall not embrace any provision or enactment which does not specifically relate to some particular item in the bill; and any such provision or enactment shall be limited in its operation to such appropriation.

Article four. § 3. The governor and lieutenant-governor shall be elected at the times and places of choosing members of the assembly. The persons respectively having the highest number of votes for governor and lieutenant-governor shall be elected; but in case two or more shall have an equal and the highest number of votes for governor, or for lieutenant-governor, the two houses of the legislature at its next regular [annual] session shall forthwith, by joint ballot, choose one of the said persons so having an equal and the highest number of votes for governor or lieutenant-governor.

Article ten. § 6. [The political year and legislative term shall begin on the first day of January, and the legislature shall, every year, assemble on the first Wednesday in January.] The political year and the legislative term shall begin on the first day of January. The legislature shall assemble on the first Wednesday of January in the year nineteen hundred, and in the year nineteen hundred and one, and thereafter biennially on the same day. It shall also assemble on the same day in the year next following the return of an enumeration of the inhabitants of the state under this constitution, for the purpose, only, of making an apportionment of senators and members of the assembly; and such session, for that purpose, shall be deemed a regular session.

§ 2. Resolved (if the assembly concur), That the foregoing amendments be referred to the legislature to be chosen at the next general election of senators, and that in conformity to section one, article fourteen of the constitution, to be published for three months previous to the time of such election.

INDEX TO ASSEMBLY JOURNAL.

1898.

NOTE.—This index has been greatly enlarged and improved. A little study of the system of indexing together with the copious system of cross references will, it is believed, enable one to find with ease anything contained in the Journal. The plan of indexing is as follows:

1. Every bill relating to a locality may be found indexed under the name of that locality and ordinarily will not be found indexed under the subject to which it relates.

2. All bills relating to Kings county will be found under the Borough of Brooklyn, and all bills relating to Greater New York under New York City and Boroughs of Manhattan, Bronx, Brooklyn, Richmond and Queens.

3. Every general bill will be found indexed under the proper subject.

4. Every resolution, excepting the recalling bills, will be found under "Resolutions."

5. Every bill relating to canals will be found under "Canals."

6. The bills relating to general laws under the proper heads, *i. e.*, "Banking Law," "Benevolent Orders Law," "Game Law," "Lien Law," "Revised Statutes," &c., &c.

7. All claim bills under "Claims."

8. Bills relating to cities of either class under "Cities of 1st Class," "Cities of 2d Class," &c., &c.

9. All Code amendments under the heads of "Code Civil," "Code Criminal," &c., &c.

10. All petitions under "Petitions," and reports under "Reports."

11. All points of order under "Points of Order."

12. All decisions and acts of Speakers under "Speaker."

13. Privileges of floor under "Privilege."

14. All matters not relating to bills under the proper head.

15. The numbers used in this index, *viz.*: "Int. No.," refers to Assembly bill and its introductory number, and when "Rec. No." is used, it refers to a Senate bill and its reception number.

INDEX.

A.

PAGE.

Abell, Cornell, general messenger, appointment made by Mr. Speaker	57
Abuses and evils in connection with placing out of children, to prevent (Int. No. 972).....	820, 1317, 1521, 1677, 1734, 1782 1827, 2030, 2034, 2083
Accountants, public, profession of, to regulate (Int. No. 704).	407
Accountants, public, profession of, to regulate (Rec. No. 87).	817 1586, 1765, 1807, 1913, 2695, 2705, 2754
Actors' Fund of America, payment of a part of license fees for public exhibitions to, relative to (Rec. No. 189)....	1378 2039, 2086, 2169
Actors, frauds committed against, to punish (Int. No. 881)..	676
Adams, Allen, page, appointment made by the clerk.....	58
Adirondack park, acquisition of land in, to provide for (Int. No. 631).....	334, 730, 894, 955, 1019, 1076, 1439
Adirondack park, continuing the acquisition of land in, to provide for (Int. No. 984).....	822, 1100, 1553, 1761, 1840, 2031
Adirondack park, continuing the acquisition of land in, to provide for (Rec. No. 302).....	1865, 2033, 2082, 2096
Adirondack park, boundaries of, to define (Int. No. 803)..	534 684, 777, 812, 960, 1041
Adirondacks, special committee of the Assembly for 1897, to extend time for making a report.....	243
Administration of justice, relative to (Int. No. 726).....	452

Adoption of Annie Grace Smock, to legalize (Int. No. 569) . .	290
735, 895, 955, 1069, 1101, 2829	
Adult blind in cities, relative to (Int. No. 3)	42, 164, 252, 306
790, 825, 904, 961, 1048, 1854	
Agents or brokers, who buy or sell stocks, bonds, etc., to furnish a statement, relative to (Int. No. 658)	362, 1247, 1386
1526, 1536, 1649	
Agricultural and Liberal Arts Society of Rensselaer County, to change the name of (Int. No. 1146)	1139
Agricultural and Liberal Arts Society of Rensselaer County, to change the name of (Int. No. 1202)	1307, 1561, 1759, 1840
2030, 2223	
Agricultural Law, to amend, adulterated vinegar, relative to (Int. No. 699)	406
Agricultural Law, to amend, apportionment of moneys appropriated for the promotion of agriculture, relative to (Int. No. 720)	428, 755, 896, 957, 1133, 1277, 1854
Agricultural Law, to amend, branding cheese, relative to (Int. No. 809)	535, 1009, 1062, 1088, 1301, 1397, 2524
Agricultural Law, to amend, calves, transportation and sale of, relative to (Int. No. 389)	155, 547, 588, 632, 725, 803,
937, 2829	
Agricultural Law, to amend, cider vinegar, relative to (Rec. No. 251)	1745, 1842, 1921
Agricultural Law, to amend, cider vinegar, relative to (Int. No. 715)	428
Agricultural Law, to amend, cider vinegar, relative to (Int. No. 952)	788, 1261, 1393, 1529, 1537, 1745, 1842

Agricultural Law, to amend, dairy products, inspection of, relative to (Int. No. 259)....	109, 547, 588, 631, 725, 803, 940 1261, 1535, 1634, 2317
Agricultural Law, to amend, dairy products, relative to (Int. No. 324).....	123
Agricultural Law, to amend, evidence of violations, relative to (Int. No. 226).....	96
Agricultural Law, to amend, fraud in the sale of Paris green, to prevent (Int. No. 257)....	109, 202, 242, 264, 309, 322 1218, 1295
Agricultural Law, to amend, maple sugar and syrup, relative to (Int. No. 718).....	428, 547, 588, 632, 725, 802, 2318
Agricultural Law, to amend, penalties, relative to (Int. No. 766).....	489, 1009, 1265, 1366, 1445, 1615, 2811, 2888
Agricultural Law, to amend, prevention of disease in fruit trees and the pests that infect the same, relative to (Rec. No. 254).....	1796, 1858, 1868, 1996
Agricultural Law, to amend, receptacles for butter, relative to (Int. No. 247)...	102, 201, 242, 243, 252, 352, 547, 666, 724, 908 964, 1740
Agricultural Law, to amend, skimmed milk, sale of, relative to (Int. No. 832).....	586
Agricultural Law, to amend, sugar beet culture, relative to Int. No. 142).....	72
Agricultural Law, to amend, sugar beet culture, relative to (Rec. No. 21).....	291, 990, 1267, 1348, 1353, 1423, 1742
Agricultural Law, to amend, taking samples of milk for analysis, relative to (Int. No. 595)...	296, 759, 809, 844, 1089, 1180
Agricultural Station at Geneva, horticultural investigation, to provide for (Int. No. 728)...	452, 994, 1061, 1085, 1091, 1199 2521

Agriculture, making appropriation for moneys collected and due from racing associations, for the promotion of (Int. No. 1272).....	1451, 1858, 1868, 1998, 2521
Agriculture, to provide for the promotion of, by the College of Agriculture at Cornell University (Int. No. 451).. 314, 360, 403, 422, 433,	193, 270 1067
Albany City:	
Albany Institute, to incorporate (Int. No. 339).. 434, 486, 528, 562,	128, 425 2524
Almshouse in, to define the duties of the superintendent of (Rec. No. 335).....	2200, 2530, 2533, 2566
Beaver park in, to enable the city of, to raise money for the grading and improvement of (Int. No. 928).. 1335, 1366, 1445, 1616,	785, 1151 2318
Broadway in, widening of, relative to (Int. No. 38)....	47
Broadway in, widening of, relative to (Rec. No. 3).. 216,	96, 193 240
Certain debts, to enable the city to pay (Int. No. 1331).. Charter of city, to amend, police department, relative to (Int. No. 1001).....	1792 848
City court of, appointment of a stenographer, relative to (Int. No. 305).....	120, 627, 805, 840, 845, 874
City court of, appointment of a stenographer, relative to (Rec. No. 102).....	947, 1229, 1332
City court of, increasing the jurisdiction of and relating to jury list (Int. No. 787).. 2319	493, 1309, 1407, 1731, 1786, 1956 2319
City of, to acquire title to land for a public park to be known as Riverside Park (Int. No. 921)....	729, 2691, 2701 2720

Albany city — Continued:

PAGE.

City of, to pay sundry debts for printing and advertising, relative to (Int. No. 987)	823, 2195, 2691, 2701, 2719
government of, to provide for (Int. No. 731)	452
government of, to provide for (Int. No. 732)	453, 1857, 1868
	1994
government of, to provide for (Int. No. 1217)	1356, 2035
	2083, 2211
government of, to provide for (Rec. No. 313)	1866
government of, to provide for (Rec. No. 412)	2699, 2700, 2707
	2791
Hudson avenue in, to close a portion of (Int. No. 78)	64
	166, 184, 206, 208, 230, 286, 530
Hudson avenue in, to close a portion of (Rec. No. 12)	193
Jackson and Montgomery streets in, to close a portion of (Int. No. 39)	47, 264
Jackson and Montgomery streets in, to close a portion of (Rec. No. 5)	157, 199, 243, 265, 301, 355
Montgomery street in, to open between Steuben street and Maiden lane (Int. No. 1216)	1356, 1694, 1729
	1736, 1759, 2316, 2321, 2466, 2480
Northern boulevard in, to annul a certain assessment for grading (Int. No. 40)	48
Northern boulevard in, to annul a certain assessment for grading (Rec. No. 2)	97, 194, 216, 239
park purposes, to procure additional land for, relative to (Int. No. 607)	311
sidepaths for bicycles in, to appoint commissioners with power to regulate the use and construction of, relative to (Rec. No. 103)	947, 1169, 1516, 1742

Albany city — Continued:

PAGE.

sundry debts for printing and advertising, to enable the city to pay (Rec. No. 271).....	1746, 2530, 2534, 2569
sundry debts, to enable the city to pay (Rec. No. 375)..	2607
	2697, 2706, 2778
Washington, General George, monument and statute to the memory of, erection of, on State ground in the city of, to provide for (Int. No. 1032).....	1022
Young Men's Association for Mutual Improvement in, to amend law, relative to (Int. No. 1233).....	1448
Albion, charter of village, to amend (Int. No. 1111)....	1136, 1599
	1764, 1841, 2031, 2036, 2084, 2151, 2824
Alcoholic stimulants, opiates, narcotics or drugs of any de- scription, treatment of persons diseased from the use of, relative to (Rec. No. 91).....	945, 2850
Allegany county, natural gas in, to regulate the price of (Int. No. 549).....	270
American Museum of Natural History, to incorporate (Rec. No. 208).....	1382, 2323, 2467, 2491
Amsterdam, street improvements in city of, to provide for (Int. No. 198).....	83, 700, 892, 953, 1019, 1074, 1228
Amusement, places of, sale of tickets in, to regulate (Int. No. 559).....	288, 735, 894, 956, 1019, 1078, 1250, 1427
Ancient Order of United Workmen, to incorporate the Grand Lodge of (Int. No. 1160)....	1147, 1383, 1522, 1678, 1735
	1919, 2830
Annis, Albert S., assistant doorkeeper, appointment made by Mr. Speaker.....	57
Appropriation for contingent expenses of the Legislature (Rec. No. 1).....	97

Appropriation for continuing work upon the Capitol (Int. No. 1016).....	916, 1240, 1349, 1352, 1412, 2524
Appropriation for expenses, maintenance and ordinary repairs on canals. (See canals.) (Int. No. 463.)	
Appropriation, for unexpended balances, to reappropriate (Rec. No. 78).....	680, 994, 1064, 1113
Appropriations, former, certain unexpended balances of, to reappropriate (Int. No. 1305).....	1692, 2034, 2082, 2105, 2889
Armories, making expenses of maintaining a State charge, to amend law, relative to (Int. No. 517).....	266
Armory at Newburgh, expenses and repairs of, to reappropriate money for (Int. No. 1285)....	1452, 2321, 2465, 2476, 2821
Armory, erected for the Forty-seventh Regiment, National Guard, repairing and enlarging of, to provide for (Int. No. 930).....	785, 1243, 1519, 1675, 1735, 1832, 2686
Armstrong, Charles, committee clerk, appointment made by Mr. Speaker.....	57
Art, development of in cities, to encourage (Int. No. 826)...	585
	918, 1058, 1085, 1091, 1194, 2677, 2686
Art, Metropolitan Museum of, to incorporate (Int. No. 747) ..	454
Art, Metropolitan Museum of, to incorporate (Rec. No. 75) ..	680
	803
Assembly:	
Adirondack special committee of, for 1897, to extend time for making report.....	243
adjournment to January 12th.....	16
Baxter, Archie E., elected clerk of.....	10
called to order by.....	7
clerk of, directed to have all committee notices posted on bulletins	85

Assembly — Continued:

PAGE.

clerk of, relating to appointments made by..57, 58, 99,	109
clerk of, relating to election of.....	10
clerk of, to arrange seats for gentlemen of the press..	16
clerk of, to invite clergymen to open sessions with prayer	16
clerk of, to make contracts with the postmaster and the express companies	16
committee appointed to conduct the Speaker to the chair	9
committee appointed to notify the Governor of readi- ness to adjourn sine die.....	2889
committee appointed to notify the Governor that the Assembly is organized.....15,	17
committee appointed to notify the Senate of readiness to adjourn sine die.....	2890
committee appointed to notify the Senate that the As- sembly is organized.....15,	17
conference committee on appropriation bill.....1542,	1690
conference committee on bill (No. 154) to amend Code of Civil Procedure.....	1852
convening of	3
Craig, William H., elected principal doorkeeper of.....	12
Crawford, James C., elected sergeant-at-arms of.....	11
doorkeepers of, relating to election of.....	12
drawing of seats, relating to.....17,	37
gavel of the late Thomas G. Alvord presented to the....	90
Hotaling, Charles R., elected.....	12
hours of daily meeting.....	58
Johnson, Frank W., elected.....	12

Assembly — Continued:

PAGE.

Lammert, Henry C., elected.....	13
Lieutenant-Governor as presiding officer of the.....	354
list of members of, presented by the Secretary of State.	3
officers of the, resignation of.....	127
O'Grady, James M. E., elected speaker of.....	8
rules of, relating to.....	13
seats in, notice of contest for.....	41
sergeant-at-arms, relating to election of.....	11
speaker, election of.....	7
speaker of, relating to appointments made by.....	57
standing committees of the.....	50
stenographer of, relating to election of.....	13
Assessment paid for local improvement, which was annulled, recovery of, relative to (Int. No. 218).....	95, 1466
Assessments, certain, to legalize (Rec. No. 283).....	1799
	2034, 2082, 2102
Assets of corporations for which receivers have been ap- pointed, collection and recovery of, relative to (Int. No. 535).....	268, 733, 895, 958, 1069, 1100, 2826
Associations for lending money on personal property, to provide for the incorporation of (Int. No. 1138).....	1127
Atlantic Dock Company, to incorporate, extending the cor- porate existence of said company (Int. No. 1110).....	1136
	1561, 1760, 1842, 2031, 2037, 2085, 2159, 2827
Attorneys or counsellors-at-law, in courts of record, regis- tration of, relative to (Int. No. 516).....	266
	542, 670, 719, 783, 838, 1741
Attorneys practicing in inferior courts of this State, who have been duly admitted to practice in other States, rela- tive to (Int. No. 1288).....	1453

Auctions and auctioneers, to amend law, relative to (Int. No. 315).....	122, 521, 577, 604, 725, 801, 1123, 1318, 1535, 1633
Auburn, charter of city, to amend (Rec. No. 192).....	1379, 2293
Auburn, sale of land held by agent and warden of Auburn prison, relative to (Rec. No. 213).....	1548, 2294
Auburn, State armory at, repairing and completion of, to provide for (Rec. No. 363).....	2471, 2531, 2534, 2573
Auburn, State armory at, repairing and completing of, to provide for (Int. No. 1273).....	1451
Austerlitz, accounts of Benjamin Sitter, late commissioner of the town of, to legalize (Int. No. 355).....	138, 927
	1206, 1296, 1301, 1400, 2824
Austerlitz, accounts of Benjamin Sitter, late commissioner of the town of, to legalize (Rec. No. 248).....	1796
Averill, Robert, committee clerk, appointment made by Mr. Speaker	57

B.

Bach, Amelia, Comptroller to hear and determine application of, cancellation of tax sales, relative to (Int. No. 657).	362
	1240, 1388, 1525, 1537, 1658
Bachman, J. J., superintendent of documents, appointment made by the clerk.....	58
Ball, Michael, committee clerk, appointment made by Mr. Speaker	57
Banking Law, to amend, relative to:	
building and loan associations, investment of the deposits and income of (Int. No. 849).....	608, 1594, 1765
	1841, 2031, 2227, 2888
compensation of officers (Rec. No. 250).....	1796

Banking Law, to amend, relative to — Continued:

PAGE.

incorporation of building and lot associations (Int. No. 69).....	63, 201, 242, 523, 666, 723, 908, 963, 2024
qualifications of directors of corporations (Int. 390)....	155
restrictions as to banks and their officers (Rec. No. 142),	1122
	1594, 1768, 1836
securities in which deposits may be invested (Rec. No. 181).....	1147, 1258, 1385, 1545, 1790, 1857, 1867, 1914
securities in which deposits may be invested (Int. No. 693)	405
securities in which deposits may be invested (Int. No. 1048).....	1025, 1258, 1393
unclaimed deposits in savings banks (Int. No. 752).....	455
verification of reports (Rec. No. 270).....	1798, 1861
	1870, 2012, 2093, 2662
verification of reports (Int. No. 1175)...	1304, 1594, 1764, 1807

Banks, banking and trust companies:

banking corporations, management of, relative to (Int. No. 190).....	82
banking corporations, to amend law, relative to (Rec. No. 60).....	651, 1005, 1064, 1112
banking corporations, to amend law, relative to appraisals (Int.No.748),	455, 1005, 1062, 1085, 1091, 1201, 2318
unclaimed deposits and unredeemed full paid shares of loan associations, to provide for public notice of (Int. No. 618)	332

Banks, savings:

interest upon deposits in, rate of, to amend law, relative to (Int. No. 1135).....	1127, 1594, 1764, 1843, 2031
--	------------------------------

Banks, savings — Continued:	PAGE.
qualifications of trustees of, to amend law, relative to (Int. No. 767).....	489
trustees of, in what securities deposits may be invested by, to amend law, relative to (Int. No. 1132).....	1126
Baptist churches, extinct Free, property of, and the central association, relative to (Int. No. 1049)....	1025, 1172, 1339, 1854
Baptist missionary convention, to consolidate and amend the several acts, relative to (Int. No. 959)....	822, 1036, 1084, 1090 1181, 1441
Barbering on Sunday, to regulate (Int. No. 62).....	62
Barbering on Sunday, to regulate (Int. No. 444).....	192
Barbers, occupation of, to regulate and to provide for sani- tary inspection of shops (Int. No. 375).....	153, 686
Barbers, occupation of, to regulate and to provide for sani- tary inspection of shops (Int. No. 425).....	176
Barrett, John W., admitted to practice as an attorney at law, relative to (Int. No. 274).....	111
Basha's Kill and Pine Kill, to change channels of streams at the junction of, in the town of Mamakating (Int. No. 258).....	109, 1242, 1519, 1676, 1735, 1916, 2889
Battle flags, communication from Hon. Wm. Cary Sanger, relative to	140
Baxter, Archie E., elected clerk of Assembly.....	10
Baxter, Archie E., oath of office administered to.....	13
Baxter, Charles, stenographer, appointment made by the clerk	58
Benevolent Orders Law, to amend (Int. No. 968).....	820, 1037 1082, 1131, 1446, 1611, 2525

Benevolent Orders Law, to amend, election of trustees of benevolent and fraternal orders, relative to (Int. No. 871)	651, 1037, 1082, 1128, 1232, 1324, 2525
Benevolent Orders Law, to amend, relative to Order of Elks (Int. No. 146).....	73, 115, 150, 170, 223, 233, 817
Betts, Charles H., deputy clerk, appointment made by the clerk	57
Bicycle paths or wheelways in Cattaraugus county, construction of, relative to (Int. No. 475)...	212, 273, 315, 359, 403
	422, 817
Bicycle paths or wheelways in Columbia county, construction and maintenance of (Rec. No. 278).....	2019
Bicycle paths or wheelways in Columbia county, construction and maintenance of (Int. No. 1091).....	1094, 1695, 1729
	1785, 1949
Bicycles, free carriage of, on ferryboats (Int. No. 445).....	192
Bicycles, sidepath for, in Monroe county, and to appoint sidepath commissioners (Int. No. 815)...	535, 739, 808, 840, 846
	876, 1067
Bicycles, to regulate the use of, and prevent discrimination in ordinances affecting same (Rec. No. 338)...	2201, 2532, 2535
	2581, 2594, 2601, 2611
Bicycles, tricycles and similar vehicles, use of, to regulate (Int. No. 772).....	490
Bills of lading, issue of, in certain cases, to provide for (Int. No. 27).....	46, 525, 667, 722, 909, 966, 1740
Bills, to amend legislative law, number of, to be printed, relative to (Int. No. 331).....	124, 186, 203, 212, 243, 292, 320

Binghamton:

PAGE.

charter of city, to amend, election and terms of officers, relative to (Int. No. 11).....	43, 125, 132, 136, 141, 326	634
charter of city, to amend, fire department in, to incorpo- rate (Int. No. 457).....	209, 348, 390, 400, 528, 549, 1441,	2320
dogs in, taxing and licensing of, to provide for (Int. No. 1140).....	1128, 1309, 1406, 1527, 1539, 1709, 1854,	2886
Green, George E., to reimburse, for moneys expended while mayor of city of (Int. No. 167)....	77, 125, 130,	151
	171, 180, 582,	2886
New York State Firemen's Association in, to provide for entertainments of (Int. No. 458)....	209, 339, 389,	400
	427, 439, 818,	1234
Bird, Wells M., deputy clerk, appointment made by the clerk.		57
Blind, adult, in cities, relative to (Int. No. 3)....	42, 164, 252;	306
	790, 825, 904, 961, 1048,	1854
Bond creek, removing obstructions and cleaning the bed of, to provide for (Int. No. 205).....		85
Bottles, boxes, siphons and kegs used in the sale of soda and mineral waters, ale, beer, etc., to amend law, relative to protection of owners (Int. No. 820).....		584
Boundaries of Adirondack park, to define (Int. No. 803)....		534
	684, 777, 812, 960	1041
Brant, Erie road on the Cattaraugus Indian Reservation in town of, repair of, to provide for (Int. No. 352).....		137
Brewster, normal and training school in or near the village of, to establish (Int. No. 479).....		223
Bridges on East river and Hudson river, below Waterford, in regard to (Int. No. 373).....		153

Bridges over the waters between cities and towns, construction of, to provide for (Int. No. 836)	586, 1471, 1712, 1730, 1787 1966, 2318
Brighton, wrought iron or steel lift bridge over the Erie canal in the village of, to provide for (see Canals) (Int. No. 416.)	
Bronk, John, page, appointment made by the clerk	58
Bronson, A. F., assistant doorkeeper, appointment made by Mr. Speaker	57
Brookhaven, election and terms of town officers, to provide for (Rec. No. 232)	1551, 2306
Broome county, school commissioners districts in, to change boundaries of (Int. No. 966)	820, 1035, 1080, 1130, 1232, 1327 2025
Brown, Willard W., as justice of the peace of the town of Milton, to legalize the official acts of (Rec. No. 111)	948 1031, 1083, 1204
Buffalo:	
and New York, grain elevating and storehouse facilities at the ports of, to provide for (Int. No. 413)	174
Bascule bridge over Black Rock harbor at Ferry street in city of, to provide for (Int. No. 470)	211
bonds, to issue, for purchasing lands, to extend the water works in, relative to (Int. No. 477)	212, 348, 390
bonds, to issue, for purchasing lands, to extend the water works in, relative to (Rec. No. 43)	366, 441, 1294 1543
bonds, to issue, for the purpose of refunding bonds issued for park purposes in 1897 (Int. No. 73)	63, 105, 118 136, 142, 227, 532

Buffalo —Continued:

- bridge over Black Rock harbor at Ferry street in city of,
to provide for (Rec. No. 408).....2465, 2712
- bridge over the Erie canal at Erie street in the city of,
to provide for. (See Canals.) (Int. No. 476.)
- bridge over the Erie canal at Erie street in the city of,
to provide for. (See Canals.) (Rec. No. 203.)
- Buffalo Catholic Institute, to incorporate (Int. No. 920).
729, 1030, 1079, 1130, 1232, 1320
- Buffalo Catholic Institute, to incorporate (Rec. No. 179).
1147, 1476, 1724, 1939
- burial ground on Masten street in city of, removal of
bodies and to acquire title to grounds for park pur-
poses, relative to (Rec. No. 290).....1800, 2298
- burial ground on Masten street in city of, removal of
bodies and to acquire title to grounds for park pur-
poses, relative to (Int. No. 1144)..1139, 1458, 1715, 1728,
1787, 1974
- Cazenovia creek and Buffalo river, to improve channel
in, relative to (Int. No. 81).....64, 506
- certain lands and premises in, to acquire title to for
public street and highway purposes (Int. No. 1299)... 1691
- certain local assessment against state property in city
of, to provide for (Int. No. 29).....46, 2263
- claim of A. C. Douglass, E. J. Hingston, and Arthur
Woods for construction of tunnel and pumping
station in city of, relative to (Rec. No. 152)....1141, 1315
1408, 1625
- charter of city, to amend, actions brought by domestic
servants and laborers, relative to (Int. No. 217)..... 95

Buffalo —Continued:

PAGE.

charter of city, to amend, firemen, vacations and leave of absence, relative to (Int. No. 484).....	224, 507, 793, 826 906, 1183, 2522, 2680, 2816, 2819
charter of city, to amend, justices of the peace, relative to (Rec. No. 68).....	652, 791, 827, 887, 1229, 2020
charter of city, to amend, justices of the peace, relative to (Int. No. 758).....	488
charter of city, to amend, municipal court, relative to (Int. No. 354).....	138, 256, 318, 356, 449, 460, 909, 1302
charter of city, to amend, municipal court, relative to (Int. No. 480).....	224
charter of city, to amend, municipal court, relative to (Rec. No. 81).....	681, 791, 827, 888
charter of city, to amend, park police, relative to (Int. No. 923).....	730, 1462, 1721, 1731, 1789, 1983
charter of city, to amend, publishing of election notices, relative to (Int. No. 1092).....	1094, 1309, 1406, 1526, 1538, 1752
charter of city, to amend, railroad crossings, to change and regulate, relative to (Int. No. 944).....	787
charter of city, to amend, street surface railroads, to provide waiting-rooms at all transfer stations, rela- tive to (Int. No. 882).....	676, 1524
charter of city, to amend, taxes, relative to (Int. No. 499) 247, 1155, 1512, 1782, 1849, 2036, 2083, 2117, 2836	
charter of city, to amend, taxes, relative to (Int. No. 1005)....	913, 1462, 1721, 1732, 2189, 2597, 2603, 2638, 2834
charter of city, to amend, taxes, relative to (Int. No. 1093).....	1094, 1309, 1406, 1528, 1539, 1754, 2772, 2834

Buffalo —Continued:

PAGE.

electric wiring in city of, employment of competent persons, relative to (Int. No. 1282).....	1452
Elk street market extension assessment-roll, to refund the (Int. No. 72).....	63, 105, 118, 136, 143, 226, 531
Erie basin at, increasing the depth of water in, to provide for (Int. No. 419)....	175, 2328, 2697, 2706, 2866, 2888
grade crossings in, to regulate, and extend the powers of commissioners (Int. No. 123).....	70
Historical Society, building upon the park lands in, to erect (Int. No. 71).....	63, 105, 117, 171, 177, 326, 784
Historical Society, building upon the park lands in, to erect (Rec. No. 16).....	226
Lytle, Alfred, claim of, against the city of (Int. No. 70).....	63, 104, 117, 127, 136, 144, 226, 531
Main and Hamburg canal in city of, abandonment of, relative to (Int. No. 466).....	210, 443
Main and Hamburg street canal in city of, abandonment of, relative to (Int. No. 1099).....	1095
Main and Hamburg street canal in city of, abandonment of, relative to (Rec. No. 229).....	1454
Main and Hamburg street canal in city of, abandonment of, relative to (Rec. No. 289).....	2600, 2605, 2661
Main street road from city line to Ellicott creek in village of Williamsville, to improve (Int. No. 432)..	177, 515
	669, 719, 782, 832, 1295
park police, to consolidate with city police force, relative to (Int. No. 368).....	152, 339, 481, 525, 528, 565, 909
	1302

Buffalo —Continued:

PAGE.

police pension fund, trustees of, to allow pension to
 John Kraft (Int. No. 68)...63, 104, 116, 126, 151, 178, 366
 989, 1738

School buildings, repairing and furnishing and pur-
 chase of school lots, to provide for (Int. No. 725)... 429
 630, 671, 718, 782, 835, 1740, 2189

sea wall, along the shore of Lake Erie in, to provide
 for (Int. No. 26).....45, 104, 116, 152, 164

sea wall, along the shore of Lake Erie in, to provide
 for (Int. No. 1354)..... 1898

sea wall, along the shore of Lake Erie in, to provide
 for (Rec. No. 14)....225, 693, 778, 823, 950, 1068, 1124, 1208
 1332, 1383, 2883

street cars in the city of, relative to (Int. No. 44)....59, 1593

street railroads in, fares for carrying passengers on,
 relative to (Int. No. 103)..... 67

wages of laborers and mechanics employed by the city
 of, relative to (Int. No. 1115)..1137, 1591, 1765, 1842, 2031
 2225, 2822

Young Men's Association of, to incorporate, and to
 provide for a free public library (Int. No. 203)....84, 125
 131, 151, 188

Young Men's Association of, to incorporate, and to
 provide for a free public library (Rec. No. 4)...157, 188
 205

Buffington, Leroy, page, appointment made by the clerk... 58

Buildings in course of erection, exempting from taxation,
 relative to (Int. No. 637).....335, 1004, 1207, 1265

Bumstead, Harry, messenger, appointment made by the
 clerk 58

Burial ground in the town of East Hamburg, to abandon (Int. No. 43).....	59, 186, 203, 221, 223, 237, 327
Burial grounds, election and powers of the trustees of, to amend law, relative to (Int. No. 1142) ..	1128, 1472, 1711, 1731 1787, 1860, 1870, 1968, 2824
Burial, premature, occurrence of, to prevent (Int. No. 1052).	1025
Burnett, Jean L., deputy clerk, appointment made by the clerk	57
Burt, Charles, page, appointment made by the clerk.....	58
Burton, Frank, to legalize the acts of, as notary public (Int. No. 1266).....	1377, 1860, 1870, 2008, 2824
Burton, Frank, to legalize the acts of, as notary public (Rec. No. 304)	1865
Burton, Lynn G., deputy clerk, appointment made by the clerk	57
Butter, receptacles for, to amend the Agricultural Law, relative to (Int. No. 247) ..	102, 201, 242, 243, 252, 352, 547, 666 724, 908, 964, 1740

C.

Cadby, Winne, page, appointment made by the clerk.....	58
Call of the House:	
moved by Mr. Bondy.....	940
moved by Mr. Nixon. . .	161, 273, 277, 284, 393, 396, 494, 555 561, 579, 682, 762, 768, 770, 885, 934, 938, 970, 976, 984 987, 1115, 1177, 1263, 1292, 1420, 1485, 1490, 1601, 1631 1664, 1672, 1771, 1807, 1810, 1899, 2005, 2017, 2090, 2094 2103, 2212, 2311, 2557, 2623, 2663, 2737, 2750, 2793, 2845
Calves, transportation and sale of, to amend agricultural law, relative to (Int. No. 389) ..	155, 547, 588, 632, 725, 803, 937

Camden, normal and training school in village of, to establish (Int. No. 84).....	65
Camden, to incorporate the village of (Int. No. 687)....	366, 443
	487, 633, 654
Camden, to incorporate the village of (Rec. No. 64).....	536
Camden, to incorporate the village of (Int. No. 1322)..	1693, 2267
Camden, village of, to incorporate (Rec. No. 328).....	2202
Camillus, bridge over the Erie canal in the town of, construction of, to provide for. (See canals.) (Int. No. 997.)	
Canals:	
appropriation, for expenses, maintenance and ordinary repairs on, to provide for (Int. No. 463)....	210, 2034, 2083
	2106, 2826
boat or vessel navigating the, bills of lading of cargoes transported by, to regulate (Int. No. 979).....	821
bonds to the amount not exceeding \$7,000,000 for improvement of the canals, relative to (Int. No. 1201)..	1307
Brighton, wrought iron or steel lift bridge over the Erie canal in the village of, to provide for (Int. No. 416)..	175
	991, 1266, 1348, 1353, 1419, 2826
Buffalo, bridge over the Erie canal at Erie street in the city of, to construct (Rec. No. 203)..	1381, 1560, 2137, 2688
Buffalo, bridge over the Erie canal at Erie street, in city of, to provide for (Int. No. 476).....	212
Camillus, bridge over the Erie canal in the town of, construction of, to provide for (Int. No. 997).....	847
canal debt, paying the interest on, to provide for (Int. No. 1021).....	915, 1240, 1388, 1526, 1537, 1660, 2317
Canastota, lift or hoist bridge over the Erie canal at Peterboro street, in village of, to provide for (Int. No. 201).....	84, 731, 1245, 1437, 1604, 2024

Canals — Continued:

PAGE.

Cayuga and Seneca, building a guardlock, bulkhead and dam in, to provide for (Int. No. 249).....	102
Cayuga and Seneca canal, guardlock, bulkhead and dam in, to regulate the waters of Seneca lake, to provide for (Int. No. 398).....	156
Champlain and Oswego canals, greater depth of water in, to provide for (Int. No. 951).....	788
claims arising on account of canals, payment of, to provide for (Rec. No. 237).....	1794
communication from Geo. W. Aldridge and C. W. Adams in reference to.....	49
Erie canal, for completing the work of deepening the, to provide for (Int. No. 931).....	785
extraordinary repairs and improvements of, to provide for (Int. No. 611).....	331, 2042, 2551
extraordinary repairs and improvements of, to provide for (Rec. No. 409).....	2812
grain carried on the canals, elevating and storing of, to regulate the price of (Int. No. 1292).....	1453
investigating commission, appointment of, and appropriation therefor (Rec. No. 386).....	2608
investigating commission, appointment of, and appropriation therefor (Int. No. 1360)....	2197, 2529, 2533, 2556
	2820
investigation commission, appropriation for, and appointment of (Int. No. 291)....	114, 158, 160, 163, 189, 223
	234, 265, 274, 285, 426
investigation commission, substitute offered by Mr. Donnelly	160, 162

Canals — Continued:

PAGE.

Jordan, wrought iron or steel bridge over the Erie canal in village of, to construct (Int. No. 1218).....	1356
law, to amend (Int. No. 481)....	224, 377, 411, 446, 582, 590
	610, 1066
law, to amend, relative to (Int. No. 310).....	121
law, to amend, relating to (Int. No. 453).....	193
Little Falls, masonry covering over channel near lock 39 in city of, to provide for (Int. No. 1120).....	1138
message from the Governor in reference to.....	49
monument to the memory of citizens for inception and completion of the Erie canal, resolution favoring a..	131
New Home bridge, over the Erie canal or Tonawanda creek, to authorize the removal of (Int. No. 93)...	66, 1554
	2134, 2829
Newtown and Flushing Canal Co., to incorporate (Int. No. 919)	729, 1169, 1517, 1539, 1633, 1678, 2317
Oneida, construction of vertical retaining walls on each side of the feeder to the Erie canal in the village of, to provide for (Int. No. 1329).....	1792, 2554, 2820
Pittsford, bridge over the Erie canal at Main street in village of, to provide for (Rec. No. 23).....	201, 2040, 2086, 2174
Rome, new iron bridge over the Erie canal at St. George street in city of, to provide for (Int. No. 83)...	65, 1244, 1517
	1677, 1734, 1822, 2833
Sandy Hill, bridge over the Glens Falls feeder on Main street in village of, to provide for (Int. No. 311)...	121, 1243
	1518, 1675, 1734, 1827, 2821

Canals — Continued:

PAGE.

Syracuse, hoist bridge over the Erie canal on Catherine and Almond streets, in city of, to provide for (Int. No. 51).....	60, 1241, 1388, 1525, 1537, 1656, 2317
Utica, lift or hoist bridge over the Erie canal on Washington street in the city of, to provide for (Int. No. 639).....	335, 1555, 2133
Utica, lift or hoist bridge over the Erie canal at Washington street in the city of, to provide for (Rec. No. 390)	2609, 2695, 2705, 2755
Utica, lift or hoist bridge over the Erie canal on Schuyler street in the city of, to provide for (Int. No. 114).....	69, 992, 1267, 1349, 1353, 1418, 2834
Waterford, foot-bridge over Champlain canal in town of, additional appropriation for, to provide for (Int. No. 1080).....	1029, 1454, 1714, 1730, 1788, 1978, 2686
Waterford, foot-bridge over the Champlain canal in town of, construction of, to provide for (Int. No. 936)	786
Waterford, swing bridge over the Champlain canal near Burton's saw mills in town of, to provide for (Int. No. 935)	786, 1556, 2131, 2889
West Troy, bridge across the Erie canal on the line of Nineteenth street in village of, to construct (Int. No. 1185)	1305
Whitesborough, foot-bridge over the Erie canal at Burnham street in village of, to provide for (Int. No. 1298). 1691	
Canastota, lift or hoist bridge over the Erie canal at Peterboro street in the village of, to provide for (Int. No. 201) (see Canals).	

Caneadea, town of, to issue bonds to pay certain indebtedness, relative to (Int. No. 1085).	1065, 1168, 1297, 1352, 1415, 1740
Capitol, appropriation for continuing work on, relative to (Int. No. 1016).	916, 1240, 1349, 1352, 1412, 2524
Carr, William, page, appointment made by the clerk.	58
Cassaday, James, to release to, certain real estate in town of Deer Park, Orange county (Int. No. 773).	490, 1240, 1387 1525, 1536, 1652
Cassaday, James, to release to, certain real estate in the town of Deer Park, Orange county (Rec. No. 284).	1799, 2699 2707, 2788, 2888
Catholic Mutual Benefit Association, to incorporate, officers, trustees and reserve fund, relative to (Int. No. 385).	154, 369 482, 526, 633, 658, 1134
Catskill, charter of village, to amend (Int. No. 403).	172, 273 324, 358, 392, 582, 589
Catskill, charter of village, to amend (Rec. No. 197).	1381, 1600 1768, 1834
Catskill creek, removing obstructions, widening and improving the channel of, to provide for (Int. No. 666).	364
Catskill, election districts in the town of, to change (Int. No. 1337).	1793
Cattaraugus county, bicycle paths or wheelways in, construction of, relative to (Int. No. 475).	212, 273, 315, 359, 403 422, 817
Cattaraugus Indian reservation, repair of Erie road in the town of Branton, to provide for (Int. No. 352).	137
Cayuga county, district attorney of, employment of counsel to assist in trial of Frank N. Sheldon, costs of, relative to (Rec. No. 7).	157, 1032, 1269, 1349, 1353, 1425, 1742

- Cayuga county, lighthouse on Cayuga lake at State pier in,
to provide for the construction of (Int. No. 790) . . 532, 1241, 1387
1525, 1537, 1655, 2686
- Cayuga creek in the town of Niagara, deepening and im-
proving of, to provide for (Int. No. 394) 155
- Cider vinegar, to amend agricultural law, relative to (Rec.
No. 251) 1745, 1842, 1921
- Central Association and the property of extinct Free Bap-
tist churches, incorporation called, relative to (Int. No.
1049) 1025, 1172, 1339, 1854
- Chambers' creek in Newburgh and New Windsor, bridge
over, to provide for (Int. No. 382) 154, 258, 302, 328, 360
380, 581
- Charity Law, to amend, dispensaries by the State Board of
Charities, licensing and regulation of, relative to (Int.
No. 435) 191
- Charter day, relative to, and making it a holiday (Int. No.
886) 677, 998, 1207
- Charter day, relative to, and making it a holiday (Rec. No.
122) 1120, 1215, 1333
- Chase, Frederick H., a notary public, to legalize and con-
firm the legal acts of (Int. No. 796) 533, 1033, 1269, 1348
1353, 1424, 2828
- Chateaugay, to incorporate the village of (Int. No. 1240) . . 1449
1862, 1894, 2548, 2821
- Chateaugay Water-works Company, to incorporate (Int. No.
1204) 1308, 1696, 1772, 1841, 2032, 2191, 2196, 2237, 2823
- Chatham, police justice in village of, relative to (Int. No.
1323) 1745, 2321, 2466, 2479, 2687

Chattels and goods, conditional sales of, to amend Lien Law, relative to (Rec. No. 320).....	1549
Chattels and goods, conditional sales of, to amend Lien Law, relative to (Int. No. 945).....	787
Chautauqua and Cattaraugus counties, collection of taxes in, relative to (Int. No. 489)....	225, 514, 573, 604, 605, 613, 1441
Chautauqua county, justices of the peace in the town of Harmony, to reduce the number of (Int. No. 719).....	428
Chautauqua county, justices of the peace in the town of Harmony, to reduce the number of (Int. No. 939)....	786, 997 1061, 1085, 1091, 1198, 1854
Chautauqua county, stolen property in, recovery of, relative to (Int. No. 141).....	72, 186, 203, 221, 223, 236, 488
Cheese, branding of, to amend Agricultural Law, relative to (Int. No. 809).....	535, 1009, 1062, 1088, 1301, 1397
Chemung county, board of supervisors to audit certain claims of indigent soldiers, relative to (Int. No. 439)....	192 260, 305, 329, 402, 415, 817
Chemung county, sheriff of, to make the office salaried and regulate certain fees (Int. No. 440)....	192, 260, 304, 329, 402, 413
Chenango county, sheriff of, to make a salaried office of, and regulate the management of (Int. No. 838)....	586, 1167, 1514 1678, 1735, 1922, 2522
Cherry Valley, charter of village of, to amend (Int. No. 521).....	266, 1003, 1207, 1296, 1301, 1345, 1740
Chester, Walton Hose Company in village of, to increase the number of its members (Int. No. 508)....	248, 378, 412, 445 449, 478, 1524, 1542, 1839, 1855
Children, placing out of, evils and abuses in connection with, to prevent (Int. No. 972)....	820, 1317, 1521, 1677, 1734 1782, 1827, 2030, 2034, 2083, 2209

Children, placing out of, to prevent evils and abuses in connection with (Rec. No. 332).....	2314
Children, placing out of, to prevent evils and abuses in connection with (Int. No. 759)....	488, 1031, 1079, 1249, 1385, 1544 1670
Children, placing out of, to prevent evils and abuses in connection with (Int. No. 1367).....	2198, 2596, 2602, 2628, 2823
Cider vinegar, to amend Agricultural Law, relative to (Int. No. 715).....	428
Cider vinegar, to amend Agricultural Law, relative to (Int. No. 952).....	788, 1261, 1393, 1529, 1537, 1745, 1842
Cigarettes, manufacture and sale of, relative to (Int. No. 166)	77
Cigarettes, manufacture and sale of, relative to (Int. No. 798)	533
Cigarettes, to prevent the sale and manufacture of (Int. No. 74)	63
Cities and towns, construction of bridges over the waters between, to provide for (Int. No. 836)....	586, 1471, 1712, 1730 1787, 1966, 2318
Cities, certain, to secure the registration of electricians (Int. No. 1067)	1027
Cities of the first class:	
auctioneers in, licensing and regulating bonds of, relative to (Rec. No. 119).....	1120, 1588, 2130, 2687
electric lights in, to regulate the price of (Int. No. 223)	96 599, 613
elevated railroads in, heating of passenger cars on, to provide for (Int. No. 1020).....	915

Cities of the first class — Continued:

PAGE.

games and sports, non-professional, permitting on Sunday after 1 o'clock in (Int. No. 971)	820, 1483, 1711, 1747 1840, 2030
hackney coaches and cabs, drivers of, in, to regulate the hours of labor of (Int. No. 252)	103
illuminating gas in, to regulate the price of (Int. No. 172)	78
indigent soldiers, sailors and marines, resident in, relative to (Rec. No. 350)	2538, 2599, 2604, 2650
lands in, forming part of the right of way of railroad companies, to regulate (Int. No. 302)	120, 792, 826 849, 982
lighting facilities in, for municipal ownership of, relative to (Int. No. 736)	453
private bankers in, to file bonds for the security of certain depositors, relative to (Int. No. 224)	96, 1005, 1207 1296, 1301, 1404, 2823
railroad companies in, burning of soft coal by, to prevent (Int. No. 1281)	1452
signs on buildings and fences for advertising purposes in, erection of, to regulate (Int. No. 690)	405
streets and highways in, improvement of, to provide for (Int. No. 211)	94, 918, 1059, 1068, 1091, 1197
telegraph, telephone or electric light wires and poles, removal from surface of streets, avenues or public places in, relative to (Int. No. 1076)	1028
telephone charges in, to regulate (Int. No. 781)	491
warehouses, cold storage in, inspection of, by the board of health, relative to (Int. No. 834)	586, 794, 825

Cities of the second class:

PAGE.

government of, to provide for (Rec. No. 187)..1236, 1314, 1407
1470, 1546, 1848, 1857, 1867, 1915, 2189

signs on buildings and fences for advertising purposes
in, erection of, to regulate (Int. No. 690)..... 405

Cities of the third class:

lighting of streets in, municipal officers to contract for,
relative to (Int. No. 795)..533, 696, 775, 811, 816, 855, 1092
1207, 1445, 1608, 2820

memorial day in, proper observance of, to provide for
(Rec. No. 76).....680, 791, 827, 886

plumbers in, qualification of inspectors, relative to (Int.
No. 330).....124, 505, 669, 781, 925

policemen in, pensioning of, after twenty years of ser-
vice, to provide for (Int. No. 1051)...1025, 2039, 2085, 2167

Cities, persons employed in construction of buildings in,
protection of, to amend labor law, relative to (Int. No.
713).....408, 795, 897

City and Suburban Homes Company, to exempt from taxa-
tion deferred installments of purchase-money for real es-
tate sold by, relative to (Int. No. 1097)..... 1095

Civil and private investigations, officers for hiring persons
engaged in, relative to (Int. No. 1235)..... 1448

Civil government, teaching of in the public schools, to pro-
vide for (Int. No. 833)..... 586

Civil service, to regulate and improve (Rec. No. 394)..2710, 2846

Claims of:

Alma Farm Company (limited) (Int. No. 583)..294, 1597, 2140
2830

Claims of — Continued:

PAGE.

certain auctioneers (Int. No. 703)	407, 1011, 1863, 1894, 2596
	2603, 2632
counties for value of county insane asylums (Int. No. 793)	533, 900, 1021, 1174, 1512, 1678, 1733, 1819, 2523
counties of the State, to adjust (Int. No. 486)	224
counties of the State, to adjust (Rec. No. 416)	2712, 2839
court of, payment of judgments of the, to provide for (Rec. No. 237)	1794, 2195, 2320, 2595, 2602, 2620, 2830
court of, payment of judgments of the, to provide for (Rec. No. 238)	1794, 2195, 2320, 2595, 2602, 2619, 2830
Cragin, Irving F. (Rec. No. 160)	1142, 1482, 1725, 1944
Cullivan, Thomas (Int. No. 1072)	1028
Donohue, John and John Donohue, Jr. (Int. No. 714)	427
	900, 1021
Donovan, John J. (Int. No. 692)	405, 901, 1021
Gilgaw, Thomas (Int. No. 556)	288, 901, 1021, 1839
	2215, 2822
Grant, James (Int. No. 860)	649, 1595, 2142, 2822
Hall, James (Rec. No. 374)	2607, 2695, 2704, 2745
Hawley, George (Int. No. 159)	75, 903, 1022
Hawley, George (Rec. No. 107)	948, 1481, 1722, 1926
Helmer, Charles and John Hearn (Int. No. 642)	335
	899, 1021
Holcomb, Sarah M. (Rec. No. 330)	2200, 2531, 2534, 2571
Lynch, Jane E., as administratrix of Morris Lynch (Int. No. 206)	85, 902, 1021
Marsh, Lelia E. (Int. No. 811)	535, 898, 1022, 1174, 1513
	1677, 1733, 1820, 2522
Mead, William L. (Int. No. 1071)	1028

Claims of — Continued:

PAGE.

Menasher, Marie, as administratrix of the estate of Fred

Menasher (Int. No. 1105).....1136, 1459, 1716, 1728
1787, 1973, 2827

Mills, F. H., Company (Rec. No. 140)...1122, 1482, 1725, 1945

Moore, John (Int. No. 1106).....1136, 1706, 2146, 2688

Moore, John (Rec. No. 362).....2539, 2598, 2604, 2649

Morlons, Andrew W. (Int. No. 314).....122, 901, 1021

National Guards, for military uniforms and repairs

thereto (Int. No. 652).....362, 898, 1022, 1595
2038, 2246, 2552

National Guard of the State of New York (Rec. No.

274).....1798, 2038, 2085, 2163

Onondaga Pottery Company (Int. No. 195).....83, 261, 303

324, 402, 449, 463, 1780, 2028

owners of township 6, Brown's tract, Herkimer county

(Rec. No. 275).....1798, 2283

Parks, Abiel B. (Int. No. 89)..65, 261, 305, 330, 403, 419, 431

Payne, Robert (Rec. No. 109).....948, 1481, 1721, 1925

Pine, Thomas A., and others (Int. No. 1163)..... 1148

Pine, Thomas A., and others (Rec. No. 385)..... 2608

2692, 2702, 2722

Poole, William (Int. No. 1095)..... 1094

Ramsay, Hugh (Rec. No. 416).....2712, 2857

Sanders, Barent B. (Rec. No. 108).....948, 1481, 1722, 1927

Shannon, Patrick (Int. No. 827).....585, 897, 1022

Sherry Cottage Co., Metropolitan Rubber Co., and

American Axe and Tool Co. (Rec. No. 381)..... 2608

2695, 2704, 2753

Claims of — Continued:

PAGE.

Sullivan, John (Int. No. 260).....	110, 261, 304, 327 392, 486, 528, 553
town of Alabama (Int. No. 1174).....	1304, 1594, 1763 1842, 2032, 2190, 2196, 2233, 2326, 2523
Tremain, Henry E., and Tyler, Mason W. (Int. No. 907) ..	728 1597, 2138, 2825
Van Slyke, J. W. (Int. No. 1173).....	1304, 1596, 2141, 2827
Williamson, David (Int. No. 691).....	405, 899, 1021
Williams, Samuel (Int. No. 160).....	75
Wynkoop Hallenbeck Crawford Company (Rec. No. 138).....	1122, 1481, 1725, 1946
Clark, Charles H., committee clerk, appointment made by Mr. Speaker.....	57
Clinton county, taxes on property in, relative to (Int. No. 313),	121
Clinton county, employment of convicts on the highways in, to provide for (Int. No. 644) . . .	336, 542, 587, 633, 634, 664, 1440
Clyde Electric Company to complete and perfect its organization, relative to (Rec. No. 126).....	1120, 1484, 1725, 1942
Clayton, Jefferson county, Grenell's Island park in town of, to incorporate, as a summer resort (Int. No. 1197).....	1237 1561, 1759, 1840, 1861, 1870, 2015, 2030
Code of Civil Procedure, to amend, relating to:	
section 10, giving the right of trial by jury as to a contempt (Int. No. 14).....	44
section 21, destruction of court papers (Rec. No. 22) . . .	291
section 21, destruction of court papers (Int. No. 367) . . .	152
section 63, forbidding persons not admitted to practice as attorneys in courts of records of the State to practice in any court in the city of New York (Int. No. 468).....	211, 513, 667, 716, 909, 965, 2831

Code of Civil Procedure, to amend, relating to—Continued:	PAGE.
section 66, hire of attorneys or counselors upon causes of action (Int. No. 452).....	193
section 66, compensation of attorney (Rec. No. 259)....	1797
section 74, prohibition of certain loans (Int. No. 993)...	847
section 97, appointment of court attendants (Int. No. 643)	336
section 191, appeal to Court of Appeals (Int. No. 370)..	153
259, 306, 328, 402,	416
section 191, appeals to the Court of Appeals (Rec. No. 32)	337
section 191, appeals to the Court of Appeals (Rec. No. 244).....	1795, 2323, 2467, 2490
section 254, salary of stenographers in the Supreme Court, county of Kings (Int. No. 1253).....	1377
section 360, appointment of interpreters in the county court and surrogates court in Kings county (Int. No. 1024)	916
section 383, action against sheriff, coroner, constable or other officer, for nonpayment of money, collected upon an execution (Rec. No. 383).....	2608, 2862
sections 447, 484, 501 and 502, defendant, plaintiff and counterclaims (Int. No. 769).....	489, 1159, 1341, 1363
section 603, actions for personal service (Int. No. 791)..	532
section 791, preferences among civil actions (Rec. No. 135).....	1121, 1159, 1342, 1428
section 956, reference to documentary evidence (Int. No. 139).....	72, 1161, 1517, 1677, 1734, 1823, 2826
section 960, evidence in actions for injury to unoccupied lands and to timber thereon (Int. No. 90)...	66, 167, 241 264, 265, 300, 381

Code of Civil Procedure, to amend, relating to—Continued:		PAGE.
section 971, to amend (Int. No. 1073)	1028, 1159, 1337, 1444 1847, 2108	
section 977, serving notice of trial and filing notes of issue (Int. No. 178)	78, 350, 481, 526, 633, 656	
section 977, notices of trial and notes of issue (Int. No. 188)	82	
section 1012, appointment of a referee (Int. No. 154)	74 350, 480, 527, 563, 1849, 1852, 1855, 1856, 2528, 2529, 2533 2561, 2685	
section 1027, qualification of trial jurors (Int. No. 216)	95	
section 1028, to repeal (Int. No. 132)	71	
section 1030, duly licensed auctioneers, exempting from service as trial jurors (Int. No. 840)	607	
sections 1081 and 1127, veterinary surgeons (Int. No. 276)	111, 168, 183, 206, 208, 232, 2025	
section 1310, stay of proceedings pending appeal (Rec. No. 287)	1799, 2530, 2534, 2567	
section 1310, stay of proceedings pending appeal (Int. No. 1199)	1237	
section 1338, contents of the record body of a judgment (Int. No. 700)	406, 1159, 1438, 1514, 1683, 1786, 1961	
section 1366, general requisites of executions (Int. No. 1366)	2198	
section 1393, seizure and sale of real property purchased with the proceeds of a pension (Int. No. 739)	453	
section 1499, actions to recover real property (Rec. No. 252)	1796, 2325, 2469, 2508	
section 1538, actions for partition (Int. No. 400)	156, 514 575, 603, 606, 616	

Code of Civil Procedure, to amend, relating to—Continued:	PAGE.
section 1596, actions for dower (Int. No. 564).....	289
section 1678, sale of real property (Int. No. 528).....	267
section 1678, sale of real property (Int. No. 678)..404,	925
1205, 1297, 1300, 1403,	2829
section 1743, matrimonial actions (Int. No. 844).....	608
section 1771, custody and maintenance of children and support of plaintiff (Int. No. 1264)..1376, 2192, 2197,	2242
	2889
section 1801, foreign corporations (Int. No. 1312).....	1548
sections 1813a, 1813b, certain corporate actions and proceedings (Int. No. 906).....	727
section 1894, actions by private persons for a penalty on forfeiture (Int. No. 929).....	785
section 1902, recovery of damages for injuries causing death (Int. No. 19).....	45
section 1918a, action for rendition of personal service (Int. No. 792).....	533
section 1921, actions by or against an unincorporated association (Rec. No. 249).....1796,	2304
section 206S, granting of a writ of mandamus at Special Term; and section 2084, issue of fact upon alternative writ of mandamus where triable (Int. No. 1102)	1096
section 2326, appointment of a foreign committee of the person and property of a lunatic, idiot or ha- bitual drunkard (Rec. No. 127).....1120,	2518
section 2458, supplementary proceedings (Int. No. 129).	71
section 2463, supplementary proceedings (Int. No. 806).	534

Code of Civil Procedure, to amend, relating to—Continued:	PAGE
section 2514, as to the meaning of the word intestate (Int. No. 469).....	211
section 2535, and to repeal the last paragraph (Int. No. 870)	651
section 2536, to repeal, and to declare the publication of a citation, notice or other paper to be sufficient (Int. No. 873).....	675
section 2585, appeals from surrogates' courts (Int. No. 182)	79, 2129
sections 2647, 2649, 2651, 2652, 2653a, 2626 and 2627; revocation of probate (Int. No. 67).....	63
section 2653a, action establishing the validity of the probate of a last will and testament (Int. No. 98)...	67
section 2653a, actions to determine the validity or in- validity of the probate of wills (Rec. No. 309).....	1865
section 2653a, actions to determine the validity or in- validity of the probate of wills (Int. No. 1210)....	1355
	1454, 1714, 1747
sections 2660 and 2669, to the grant of letters of admin- istration (Rec. No. 110).....	948, 1457, 1724, 1940
section 2703, recording wills probated in other States and Territories, or in foreign countries (Int. No. 9)...	43
	1161
section 2722, claim for funeral expenses (Rec. No. 395).	2710
section 2722, debt claim for funeral expenses of the de- ceased (Int. No. 1118).....	1137, 1456, 2266
section 2732, succession of personal property (Int. No. 901).....	679, 1034, 1082, 1096, 1176, 2524

Code of Civil Procedure, to amend, relating to—Continued:	PAGE.
section 2743, decrees for payment and distribution of estates of decedents (Int. No. 628)	333, 500, 760, 896, 956 1133, 1275, 2023
section 2862, jurisdiction of justices of the peace (Int. No. 298)	119
section 2868, rooms in which justices' court may be held (Int. No. 655)	362, 513, 669, 722, 909, 967, 2024
section 2868, buildings in which justices' courts may be held (Int. No. 841)	607
section 2869, jurisdiction of a justice of the peace (Int. No. 94)	66, 167, 184, 206, 208, 229, 1219, 1295
section 3046, appeals from the municipal court of the city of New York (Int. No. 1278)	1451
section 3169, warrants of attachment in the city court of city of New York (Int. No. 1066)	1027, 1159, 1338, 1362 1443, 1540, 1646, 2792, 2794
section 3221, enforcement of judgments in favor of working men and women (Int. No. 329)	124
section 3228, costs to which plaintiff is entitled of course (Int. No. 189)	82, 1454, 2040, 2086, 2126
section 3228, recovery of costs on payments under \$50 (Int. No. 316)	122, 168, 185, 206, 208, 228, 1220, 1295
section 3228, costs in action brought in court of record which may have been brought in municipal court (Int. No. 366)	152
section 3228, awarding of costs (Rec. No. 125)	1120, 2851
section 3253, allowances of costs (Rec. No. 52)	492, 689 781, 867
section 3253, extra allowances (Int. No. 609)	312

Code of Civil Procedure, to amend, relating to—Continued:		PAGE.
section 3256, disbursements as taxable costs (Int. No. 111).....	68, 166, 513, 668, 718, 959, 1039, 1372, 1510, 1673	
section 3256, disbursements to be included in bill of costs (Int. No. 768).....		489
section 3268, requiring security for costs in actions brought for infant plaintiff (Int. No. 55).....	61,	103
section 3268, security for costs in actions brought for infant plaintiffs (Int. No. 976).....		821
section 3287, taxing of fees by certain officers (Rec. No. 326)		2199
section 3307, sheriff's fees (Int. No. 581).....		294
section 3314, fees of jurors (Int. No. 360).138, 926, 1055, 1085		
	1091, 1192, 2025	
section 3314, fees of jurors (Int. No. 988).....		846
section 3320, receivers' commissions (Int. No. 1355)....		2598
	2603, 2645	
section 3322, fees of justices of the peace in civil cases (Int. No. 125)		70
section 3326, fees of jurors in justices' court (Int. No. 197)		83
section 3370, proceedings of commissioners in proceedings for the condemnation of real property (Rec. No. 230)	1550, 2695, 2704, 2743	
section 3379, possession on security or deposit in proceedings for the condemnation of real property, by adding thereto a provision as to costs (Rec. No. 366). 2605		
	2693, 2702, 2727	
section 3417, discharge of mechanic's lien, by order of court (Int. No. 442).....		192

Code, Penal, to amend, relative to:

PAGE.

section 41, political caucuses, primary elections, conventions and enrollments (Int. No. 1293).....	1588, 1771, 1910 2525
section 41x, crimes against the elective franchise (Int. No. 1162)	1148
section 150a, certain offenses against public justice (Int. No. 161)	75
sections 168, 170 and 675, conspiracies and acts not expressly forbidden (Int. No. 24).....	45
sections 168, 170 and 675, conspiracies and acts not expressly forbidden (Int. No. 518).....	266
section 223, use of force or violence by masters, guardians and teachers (Int. No. 121).....	69
section 223a, corporal punishment in schools (Int. No. 120)	69
section 265, public sports (Int. No. 136).....	72
section 277, theatrical performances (Int. No. 135).....	72
section 364a, stamping or marking articles manufactured of silver (Int. No. 685)....	364, 760, 1034, 1083, 1130 1445, 1549, 1678
section 364a, stamping or marking articles manufactured of silver (Rec. No. 219).....	1549, 1678, 1757
section 364a, b, c, manufacture or sale of spurious silverware (Int. No. 686).....	364, 1034, 1083, 1128, 1231, 1331 1374, 1380, 1534
section 364a, b, c, manufacture or sale of spurious silverware (Rec. No. 195).....	1380, 1534, 1756
section 382a, frauds in the purchase of dairy products (Int. No. 88).....	65

Code, Penal, to amend, relative to — Continued:	PAGE.
section 384o, issue of trading stamps or other devices (Int. No. 433).....	177
section 384o, punishment of fraudulent entries and practices in contests of speed between trotting and pacing horses (Int. No. 1082).....	1029, 1857, 1868, 1994, 2820
section 384o, employment of persons who are not citizens on State and municipal works (Int. No. 743)....	454
section 404, sale of poisonous substances by druggists and pharmacists upon physicians' prescription (Rec. No. 355).....	2538, 2599, 2604, 2654
section 447, private or farm railroad crossings (Int. No. 1211).....	2596, 2602, 2629
section 447a, insecure scaffolding, and to prevent accidents and fatalities (Int. No. 1306).....	1692
section 458, prize fighting and sparring exhibitions (Int. No. 1187).....	1306
section 544, larceny by false pretense (Int. No. 740)....	454
	1160, 1513, 1782, 1848, 1861, 1870, 2014, 2889
sections 564 and 674a, by adding a new section 674f, false personation (Int. No. 1303).....	1692
section 573, use of non-transferable entrance tickets (Int. No. 1130).....	1126, 1862, 1871, 2548, 2594, 2601
section 619a, issue and use of transfer tickets upon street surface railroads (Int. No. 523).....	267, 796, 1522
	1687, 1727, 1783, 2030, 2221, 2823
new section, known as section 619a, issue and use of transfer tickets upon street surface railroads (Int. No. 597)	310

Code, Penal, to amend, relative to — Continued:

PAGE.

section 628a, offense against the Domestic Commerce Law (Int. No. 28).....	46, 351, 481, 525, 528, 565, 1741
section 640, to prevent the desecration, mutilation or improper use of the flag of the United States and of this State (Int No. 54).....	61, 1159, 1341 1370, 1373, 1502, 2687
section 640, malicious injury to farm lands and crops, by removal of fences and opening of bars and gates (Int. No. 424).....	176
section 640, malicious injury and destruction of property (Int. No. 450).....	193
section 687a, sentencing of convicts to State prisons, reformatories and penitentiaries (Int. No. 1006).....	913, 1857
sections 687a, 688, 696, 698 and 704, sentencing of convicts to State prisons, reformatories and penitentiaries (Rec. No. 256).....	1797, 1857
section 697, sentences (Int. No. 77).....	64

Cohoes:

charter of city, to amend (Int. No. 1055).....	1026, 1150 1338, 1370, 1373, 1382, 1534, 1758
charter of city, to amend (Rec. No. 207).....	1382 1534, 1858, 1868, 2000
dam across Mohawk river, in city of, maintenance of, relative to (Int. No. 1368).....	2199
hospital in city of, erection, government and maintenance of, to provide for (Int. No. 1056).....	1026, 1149 1338, 1369, 1382, 1534, 1785, 1953
hospital in city of, erection, government and maintenance of, to provide for (Rec. No. 205).....	1382, 1534 1858, 1868, 1999

Cohoes — Continued:

PAGE

public improvement commission in city of, to create (Int. No. 1030).....	949, 1158, 1297, 1352, 1382, 1413, 1533
public improvement commission in city of, to create (Rec. No. 206).....	1382
water-works, improvement of, and extension of water mains in city of, to provide for (Int. No. 1338).....	1793 2192, 2197, 2582, 2688
Cole, John A., index clerk, appointment made by the clerk..	58
Cole, M. N., assistant financial clerk, appointment made by the clerk.....	58
Cole, William L., and Thomas F. and J. M. Meehan, for the relief of (Int. No. 1343).....	1794, 2835
College Point, to enable Conrad Poppenhusen to found an institution in the village of (Int. No. 1134).....	1126, 1317 1371, 1535, 1636, 2523, 2817, 2819
Colonie, to extend the boundaries of the town of (Int. No. 393).....	155, 260, 304, 329, 402, 414, 817
Columbia Co., bicycle paths or wheelways in, construction and maintenance of, relative to (Rec. No. 278).....	2019
Columbia Co., bicycle paths or wheelways in, construction and maintenance of, relative to (Int. No. 1091).....	1094 1695, 1729, 1785, 1949
Commissioners of deeds in certain cities, term of office of, to regulate (Int. No. 653).....	362, 630, 671, 717, 909 969, 2522, 2683, 2817
Commissioners of jurors, to create for certain counties and prescribing his duties (Int. No. 349).....	130, 352, 390, 399 427, 436

Commissioners of jurors, to create for certain counties and prescribing his duties (Int. No. 649)....	336, 736, 806, 843, 845 883, 1776, 1855
Commissioners of the land office, to grant certain land under water to the village of Dobbs Ferry (Int. No. 213)....	185, 203 221, 223, 238, 1777, 1855
Commodities, articles of, to prevent monopolies in, and to enable the Attorney-General to secure testimony in rela- tion thereto (Int. No. 13).....	44
Commodities, articles of, to prevent monopolies in, relative to (Int. No. 8).....	43, 115
Conewango Valley in Cattaraugus and Chautauqua coun- ties, to provide for (Int. No. 913).....	729, 1241, 1387, 1527, 1537 1653, 2317
Congregation Hand in Hand of Mott Haven, incorporation, acts and deeds of, to confirm (Rec. No. 200).....	1381, 1477 1722, 1928
Conklin, Annie B., for the relief of (Int. No. 108)..	68, 253, 338 481, 525, 527, 567, 1216, 1295, 2190
Consolidated School Law, to amend:	
library books relative to (Int. No. 1310).....	1692
library books, relative to (Rec. No. 334)..	2200, 2323, 2467, 2489, 2817
school commissioner districts, alteration of, relative to (Int. No. 1116).....	1137, 2270
school commissioners, eligibility and salary of, relative to (Int. No. 593).....	295, 1262, 1519
teachers' training class (Int. No. 186).....	79, 599, 672, 908 943, 1067
text books, relative to (Int. No. 33).....	47, 201

Constitutional Convention debates and proceedings, indexing of, to provide for (Int. No. 126) ..	70, 115, 126, 132, 137, 147
Constitutional Convention debates and proceedings, indexing of, to provide for (Rec. No. 13)	225, 369, 413, 440
Contracts between employers and employes, to encourage, relative to (Int. No. 670)	403
Convention of the Baptist Missionary, to consolidate and amend the several acts. relative to (Int. No. 959)	822, 1036
	1084, 1090, 1181, 1441
Corning, charter of city, to amend (Int. No. 448) ..	193, 1313, 1521
	1682, 2029, 2036, 2084, 2150, 2832
Corning, charter of city, to amend (Rec. No. 69)	652, 726
Coroners in Rensselaer county, election and compensation of, to provide for (Int. No. 830)	585, 739, 808, 840, 960
	1046, 2026
Corporations, an act concerning certain (Int. No. 1214)	1356
	2597, 2603, 2642, 2889
Corporations, concerning certain (Int. No. 1177)	1304
Corporations for which receivers have been appointed, collection and recovery of assets of, relative to (Int. No. 535) ..	268
	733, 895, 958, 1069, 1100, 2826
Corporation Law, general to amend, certificate of authority of a foreign corporation, relative to (Rec. No. 231) ...	1550, 2531
	2534, 2576
Corporation Law, general, to amend section 21 (Int. No. 571)	290
Corporation Law, to amend, boards of directors, relative to (Int. No. 659)	363, 736, 805, 843, 960, 1042, 2824

- Corporation Law, to amend, certificates of authority of a
foreign corporation, relative to (Int. No. 672)...404, 1248, 1518
1848, 2207
- Corporations, receivers of, appointed by a judgment or
order, to sell property at private sale (Rec. No. 260).... 1797
2529, 2563
- Cornell University, College of Agriculture, of, to provide for
the promotion of agriculture (Int. No. 451)....193, 270, 314
360, 403, 422, 433, 1067
- Cornell University, College of Forestry at, to establish (Rec.
No. 129).....1121, 1559, 2033, 2082, 2098, 2319
- Cornell University, to establish and to appropriate to it the
income of sale of public lands granted to this State by
Congress (Int. No. 1287)..... 1453
- Cornell University, to establish and to appropriate to it the
income of sale of public lands granted to this State by
Congress (Rec. No. 316).....1866, 2033, 2082, 2097
- Cortlandt, boundaries of Union Free School District No. 7
in town of, to locate and establish (Int. No. 546)..... 269
- Cortlandt, boundaries of Union Free School District No. 7
in town of, to locate and establish (Rec. No. 325)..2199, 2327
2470, 2516
- Cortlandt, charter of village of, to amend, sewers, assess-
ment for taxes, relative to (Int. No. 986)..822, 1252, 1367, 1372
1492, 2025
- Cortlandt, to annex that part of town lying south of the
Croton river, to the town of Yorktown (Int. No. 1188).... 1306
- Cortlandt, town of to pay certain highway tax, to the vil-
lage of Croton (Int. No. 1357).....2328, 2470, 2543

Cortlandt, town of, to pay certain highway tax, to the vil-
lage of Croton (Rec. No. 379).....2607, 2696, 2705, 2758

Counties:

claims in the several counties, to adjust (Int. No. 1335). 1793
counsel, employment of, by district attorneys (Int.
No. 420).....175, 1253, 1388, 1525, 1539, 1661, 2769, 2831
county bonds, to amend law, relative to (Int. No. 589).. 295
738, 807, 849 906, 1090, 1184, 1445, 1609
county charges, relative to (Int. No. 586)..... 294
Oswego county judge, salary of, relative to (Int. No.
378).....153, 260, 304, 330, 450, 460, 674, 713, 1741

County clerk of Madison county, to make the office salaried
(Int. No. 60).....62, 1473, 2122

County clerk of Montgomery county, to make the office sal-
aried (Int. No. 574).....290, 372, 409, 444, 449, 470, 910

County clerk of Oneida county, to make the office salaried
(Int. No. 153).....74, 187, 203, 222, 287, 315, 366

County clerk of Onondaga county, to make the office sal-
aried (Int. No. 133).....71, 188, 203, 222, 287, 316, 488

County clerk of Orange county, to make the office salaried
and regulate the management (Int. No. 533).....268, 1474

County Law, to amend, relating to:

bridges, location and construction of (Int. No. 1182)... 1305
bridges, location and construction of (Rec. No. 397).... 2698
2700, 2706, 2779
clerks' offices, business hours in (Int. No. 183).....79, 259
318, 401, 449, 462, 2318
compensation of supervisors (Int. No. 679)..... 405

[ASSEM. JOURNAL.] 369

County Law, to amend, relating to — Continued:	PAGE.
coroners, number of in the counties of the State (Rec.	
No. 112).....	948, 2692, 2702, 2725
designation of newspapers for publication of session	
laws (Int. No. 1208)....	1308, 1590, 1763, 1845, 2032, 2191
	2196, 2235, 2687
sheriff's office, time of keeping open (Int. No. 942).....	787
	1038, 1080, 1130, 1231, 1330, 2024
County treasurers, disposition of moneys held by, for the	
payment of jurors' fees (Int. No. 543)...	269, 370, 410, 445, 449
	471, 1441
Courts of record, registration of attorneys and counsellors at	
law, relative to (Int. No. 516)...	266, 542, 670, 719, 783, 838 1741
Cows,, contagious abortion in, investigation into the causes	
of, to provide for (Int. No. 1297)....	1691, 2036, 2084, 2154 2889
Craig colony, care, custody, discipline and discharge of pa-	
tients, to amend State Charity Law, relative to (Int. No.	
1176).....	1304, 1483, 1712, 1731, 1786, 1965, 2824
Craig Colony for Epileptics, to provide for (Int. No. 342)...	129
	367, 411, 444, 448, 474, 1736, 2028
Craig, William H., oath of office administered to.....	13
Craig, William H., principal doorkeeper, election of.....	12
Crawford, James C., oath of office administered to.....	13
Crawford, James C., sergeant-at-arms, election of.....	11
Creedmoor, purchase of land for extension of rifle range at,	
relative to (Int. No. 1165).....	1148
Crime, societies for the prevention of, relative to (Int. No.	
1317)	1547
Cromwell, Mortimer, deputy clerk, appointment made by	
the clerk.....	57

Crowley, Richard, Jr., deputy clerk, appointment made by the clerk.....	57
Cuba, cemetery in the village of, relative to (Int. No. 996) ..	847
1476, 1714, 1730, 1788, 1977, 2522	

D.

Dairy products, inspection of, to amend agricultural law, relative to (Int. No. 259) ..	109, 547, 588, 631, 725, 803, 940, 1261
	1535, 1634
Dairy products, to amend agricultural law, relative to (Int. No. 324) ..	123
Dannemora State Hospital for Insane Convicts, completion of, to provide for (Rec. No. 151) ..	1141, 1561, 1726, 1929
Davison, J. C., committee clerk, appointment made by Mr. Speaker ..	57
Daysville Cemetery Association in the town of Richland, to incorporate (Int. No. 467)	210, 1247, 1385, 1526, 1536, 1648
	2521
Dayton, Eldorous, a notary public, to legalize the official acts of (Rec. No. 280) ..	1799, 2531, 2534, 2577
Dear Park, certain real estate in the town of, release to James Cassidy (Int. No. 773) ..	490, 1240, 1387, 1525, 1536, 1652
Dear Park, certain real estate in the town of, to release to James Cassidy (Rec. No. 284) ..	1799, 2699, 2707, 2788, 2888
Debenture and International Bond Co., to incorporate (Rec. No. 307) ..	1865
Debtors, insolvent, equal distribution of the effects of, to provide for (Int. No. 199) ..	84
Debtors, insolvent, estate of, relative to (Rec. No. 314) ..	1866
	2045, 2697, 2705, 2762

Debts owing by insolvents, to mature (Rec. No. 41)....	366, 543
589, 626, 1083, 1123, 1543, 2316	
Decoration or Memorial Day, proper observance of, by	
towns (Int. No. 282).....	112, 371, 409, 445, 449, 466, 726
Deeds, commissioners of in certain cities, to regulate the	
term of office (Int. No. 653).....	362, 630, 671, 717, 909, 969, 2522
2683, 2817	
Deeds or instruments of conveyance, insertion of the actual	
consideration for same, relative to (Int. No. 737).....	453
Delaware Co., establishment of a fish hatchery in, to pro-	
vide for (Rec. No. 233).....	1454, 1560, 1769, 1990
Denniston, Edward H., assistant index clerk, appointment	
made by the clerk.....	58
Dentistry, practice of, relative to (Int. No. 1129).....	1126, 1477, 1720
1732, 2189, 2321, 2466, 2481, 2687	
Deputy Factory Inspectors, to enforce law concerning labor	
on public works, to amend law, relative to (Int. No. 1090).....	1093
2036, 2084	
Detectives, private and detective agencies, to license and	
regulate the business (Rec. No. 400)....	2694, 2700, 2703, 2735
Dickson, E. J., committee clerk, appointment made by the	
Speaker.....	293
Directors, boards of, to amend Corporation Law, relative	
to (Int. No. 659).....	363, 736, 805, 843, 960, 1042, 2824
Directors, qualifications of, relative to (Int. No. 1070).....	1028, 1246
1386, 1532, 1847, 2204, 2821	
Diseased persons from use of alcoholic stimulants, opiates,	
narcotics or drugs of any description, treatment of, rela-	
tive to (Rec. No. 91).....	945, 2850

Dispensaries, by the State Board of Charities, licensing and regulation of, to amend law, relative to (Int. No. 435)....	191
Dobbs Ferry, commissioners of the land office, to grant certain land under water to the village of (Int. No. 213)..	94
185, 203, 221, 223, 238, 1777, 1855	
Domestic Relations Law, to amend, marriages, relative to (Int. No. 761).....	489
Doolittle, W. H., clerk to committee on cities, appointment made by the Speaker.....	293
Drink habit, to discourage and prevent drinking (Int. No. 756)	456
Driscoll, William H., appointed Speaker's clerk.....	41
Dunkirk, charter of city, to amend (Int. No. 1159).....	1147
Dunkirk, charter of city, to amend (Int. No. 1251)....	1375, 1868
1993, 2836	
Dunkirk, charter of city, to amend, by adding a new title (Int. No. 1333).....	1792, 2546, 2686, 2818
Dunsbeck Ferry, to construct a bridge across the Mohawk at, and to incorporate the Dunsbeck Ferry Co. (Int. No. 76).	64
Dutcher, T. Henry, general messenger, appointment made by Mr. Speaker.....	57
Dutchess county, supervisor in, to make a salaried office of, relative to (Int. No. 668).....	364, 739, 808, 840, 845, 882, 1440
Dutchess county, to divide into school commissioner districts (Int. No. 878).....	676, 1036, 1080, 1129, 1231, 1328, 2024

E.

PAGE.

East Brook, a tributary of the St. Regis river, declaring a public highway for floating of logs and shingle bolts, relative to (Int. No. 1044)....	1024, 1175, 1339, 1363, 1438, 1443 2024
East Chester, claims for labor on highways in the town of, to provide for (Int. No. 1117).....	1137, 1695, 2145
East Chester, claims for labor on highways in the town of, to provide for (Rec. No. 241).....	1795
Eastern New York Reformatory, appropriation for erection of buildings, etc. (Rec. No. 405).....	2711
East Hamburg, burying ground in town of, to abandon (Int. No. 43).....	59, 186, 203, 221, 223, 237, 327
Easton, justices of the peace in town of, to legalize the of- ficial acts of (Int. No. 1356).....	2328, 2470, 2545, 2826
Education:	
civil government, teaching of, in the public schools, to provide for (Int. No. 833).....	586
education, relative to (Int. No. 856).....	609, 2329
education fund, to amend State Finance Law, relative to (Int. No. 417)....	175, 367, 542, 587, 673, 783, 829, 1134 1690, 1743, 1789, 2182, 2528, 2596, 2602, 2622, 2831
public instruction, to amend laws relative to (Int. No. 897)	679
school text-books, degree of uniformity and reasonable prices, to provide for (Int. No. 1193).....	1307
United States flag, display of on schoolhouses and patri- otic exercises in schools, to encourage (Rec. No. 246).	1795 2325, 2468, 2502

Effects of insolvent debtors, equal distribution of, to provide for (Int. No. 199).....	84
Egbert N., messenger, appointment made by the clerk.....	58
Eighteen-Mile creek, in towns of Lockport and Newfane, to clean out and improve (Rec. No. 92).....	946, 2852
Elections:	
annual town meetings and elections in counties of Rockland, Orange and Sullivan, to repeal law relative to the holding of (Int. No. 1075).....	1028
automatic cabinets, use of, at all elections, relative to (Int. No. 422).....	176, 597, 1030, 1078
boards of elections in cities divided by boroughs, to provide for (Int. No. 1079)....	1029, 1312, 1521, 1678, 1734 1824, 2087, 2528
election districts in the town of Catskill, to change (Int. No. 1337).....	1793
elections, to amend law, relative to (Int. No. 1169)....	1149
elections, to amend law, relative to (Rec. No. 172)....	1146 1587, 1766, 1985
electors of President and Vice-President, to amend law relative to (Int. No. 1033).....	1023
Empire State voting machine, use of, in towns and cities, relative to (Int. No. 170).....	77
law, to amend, compensation of inspectors, ballot and poll clerks in cities of the first class, relative to (Int. No. 408).....	173
law, to amend, number of electors in an election district, relative to (Int. No. 140).....	72

Elections—Continued:

PAGE.

law, to amend, places of registry and voting in towns, designation of, relative to (Int. No. 380)...	154, 272, 313 359, 403, 419, 2024
law, to amend, relative to division and alteration of election districts (Rec. No. 389)....	2609, 2696, 2705, 2757
law, to amend, relative to elections (Int. No. 36).....	47
law, to amend, relative to elections (Int. No. 91).....	66
271, 313, 736, 804, 932, 1130, 1230, 1282,	2829
law, to amend, relative to elections (Int. No. 891).....	678
law, to amend, relative to elections (Rec. No. 113).....	948
1587, 1766,	1987
law, to amend, relative to registration, primaries, con- ventions and nominations (Int. No. 66).....	62
law, to amend, relative to town meetings and election of town officers (Int. No. 145).....	73, 271, 313
law, to amend, right to discharge a person arrested, by board of inspectors (Int. No. 21).....	45
Myers automatic ballot machine, use of, at all elec- tions, relative to (Int. No. 622).....	332
Myers automatic ballot machine, use of, at all elec- tions, relative to (Int. No. 890).....	678
Myers automatic ballot machine, use of, at all elec- tions, relative to (Rec. No. 161)....	1143, 1587, 1765, 1984
official ballots, use of rubber stamp in marking the, relative to (Int. No. 131).....	71
political committees, primaries, conventions and nomi- nations, times of registration, relative to (Int. No. 548)	270

Elections—Continued:

PAGE.

political parties, primary elections, conventions and political committees, enrollment for, relative to (Int. No. 1081).....	1029, 1561, 1771, 1899, 1908, 2187, 2687
primaries and conventions, relative to (Int. No. 553)....	287
primaries, relative to (Int. No. 843).....	608
primaries, to amend law, relative to (Int. No. 601).....	311
primary elections, nominations in conformity with general elections, to regulate (Int. No. 465).....	210
standard automatic voting machines, use of, at all elections (Int. No. 1059).....	1014, 1246, 1386, 1524, 1536, 1548 1651, 1679
standard automatic voting machines, use of at all elections (Rec. No. 210).....	1548, 1679
Town Law and Election Law, to amend, relative to time for holding town meetings (Int. No. 1320) ..	1693, 2034, 2082 2103, 2820
voting machines, use of at all elections, relative to (Int. No. 171)	78
Electricians, registration of in certain cities, to secure (Int. No. 1067)	1027
Electricity, supply of, relative to (Rec. No. 404).....	2711
Electric wires and poles, relative to (Int. No. 414).....	174
Elks, Order of, to amend Benevolent Orders Law, relative to (Int. No. 146).....	73, 115, 150, 170, 223, 233, 817
Elmira:	
charter of city, to amend (Int. No. 1315).....	1547
charter of city, to amend (Rec. No. 29)....	337, 483, 494, 570
charter of city, to amend, relative to salary of chamberlain (Rec. No. 339).....	2201

Elmira—Continued:

PAGE.

State armory at, repair and improvement of, to provide for (Int. No. 910)....	728, 1240, 1388, 1525, 1537, 1657, 2317
Embalmers, State Board of, to establish and practice of, to regulate (Int. No. 711)....	408, 684, 777, 813, 815, 863, 908, 944 2824
Employers and employes, to encourage contracts between (Int. No. 670).....	403
Employers to make compensation for personal injuries suf- fered by employes in their service, liability of, to extend and regulate (Int. No. 1340).....	1794
Employes of various cities and counties of the State, rela- tive to (Rec. No. 365).....	2539, 2694, 2703, 2733
Endowments to widowers, extension of, by Independent Order of Free Sons of Israel (Int. No. 299).....	119
English Lutheran Church of Mount Vernon, relief of, rela- tive to (Int. No. 391)....	155, 1153, 1335, 1367, 1372, 1497, 2888
Epileptics, Craig Colony for, to provide for (Int. No. 342)..	129 367, 411, 444, 448, 474, 1736, 2028
Erie county:	
Beeman creek in, deepening and improving the chan- nels of, in towns of Clarence and Amherst (Int. No. 92)	66
coroner of, fixing the term of office of, and providing for the election of his successor (Rec. No. 279).....	2186
coroner of the north towns of, fixing the term of office of, and providing for the election of his successor (Int. No. 859)	610, 1696, 2147
county auditor in, election of, relative to (Int. No. 858).	610 1253, 1388, 1531, 1847, 2110

Ferry companies, certain, safety and comfort of their passengers, to provide for (Int. No. 179).....	78, 927 1205, 1296, 1301, 1399
Firemen's Benevolent Association of North Tonawanda, to incorporate (Int. No. 109).....	68, 1476, 1714, 1782, 2189
Fisher, George C. F., to take examination for admission as attorney and counsellor-at-law (Int. No. 819).....	584
Fisheries, Game and Forest Laws, publication and distribution of, relative to (Int. No. 333).....	128, 200, 214, 261 318, 356, 403, 423, 1737, 2023
Fisher, James B., general messenger, appointment made by Mr. Speaker.....	57
Fish hatchery in Delaware county, to provide for the establishment of (Rec. No. 233).....	1454, 1560, 1769, 1990
Flagg, Major Ebenezer, and Col. Christopher Greene, removal of the remains of, and erection of a monument to their memory, to provide for (Int. No. 1342).....	1791, 1856
Flagg, Major Ebenezer, and Col. Christopher Greene, removal of the remains of, and erection of a monument to their memory, to provide for (Rec. No. 384)...	2608, 2692, 2702 2721
Flewwellen, W. H., deputy clerk, appointment made by the clerk	57
Flood, Michael, deceased, land devised by, relative to (Int. No. 230).....	100
Flood, Michael, deceased, land devised by, relative to (Rec. No. 42).....	366, 736, 806, 870
Foreign corporations, certificates of authority of, to amend Corporation Law, relative to (Int. No. 672).....	404, 1248 1518, 1848, 2207

Foreign corporations, certificates of authority of, to amend Corporation Law, relative to (Rec. No. 231).....	1550, 2531 2534, 2576
Forest preserves, storage reservoirs within the boundaries of, construction of, to provide for (Int. No. 1043).....	1024 1175, 1339, 1362
Forestry, promotion of, to provide for (Int. No. 683).....	364 538, 670, 718, 783, 833
Forestry, promotion of, to provide for and establishment of a college of forestry at Cornell university (Rec. No. 129)..	1121 1559, 2033, 2082, 2098, 2319
Foster, Charles, page, appointment made by the clerk.....	58
Frankfort, better administration of justice in the town of, to provide for (Int. No. 1074).....	1028, 1253, 1389 1525, 1537, 1659, 2825
Frankfort, Moyer creek in the village of, repairing the banks, bed and drops of, relative to (Int. No. 162).....	75, 541 587, 633, 634, 660, 1440
Frankfort, normal and training school in village of, to es- tablish (Int. No. 34).....	47
Frauds committed against actors, to punish (Int. No. 881)...	676
Fraudulent representations in labor organizations, to pre- vent (Int. No. 1304).....	1692
Fraternal societies, etc., constitution, by-laws, rules and regulations of, relative to (Int. No. 139).....	72, 1161 1517, 1677, 1734, 1823
Fruit packages, certain, to define the size of (Int. No. 947)...	787
Fruit trees, prevention of disease in, and the pests that in- flict same, to amend law, relative to (Rec. No. 254).....	1796 1858, 1868, 1996

Fruit trees, to prevent the poison of, while in blossom (Int. No. 551).....	270, 1009, 1062, 1130, 1230, 1283, 2519, 2688
Fruit trees, to prevent the poison of, while in blossom (Rec. No. 168).....	1144
Fulton, charter of village, to amend (Rec. No. 101).....	947, 1117 1512, 1731, 1786, 1959, 2319
Fulton county, poor in, care and support of, relative to (Int. No. 138).....	72, 516, 738, 806, 843, 960, 1047, 1441
G.	
Gallahorn, John, assistant janitor, appointment made by Mr. Speaker.....	57
Game Law, to amend, relating to:	
actions for trespass, title to land, and, recovery and disposition of penalties (Int. No. 307).....	120
Black bass in Orange lake (Int. No. 681).....	405, 522, 576, 605 607, 622
Black bass or Oswego bass, close season of (Int. No. 497).....	247, 522, 573, 602, 725, 773, 1134
bounties on wolves and panthers (Int. No. 957)....	819, 1170 1341, 1367, 1372, 1500, 2821
certain fish that may be caught through the ice in lakes and waters named (Rec. No. 49)....	492, 1172, 1517, 1681 1848, 2114, 2526
Chautauqua county, fish in, protection of (Int. No. 288).	113 168, 169, 172, 179, 190
Chautauqua lake, protection of fish in, to repeal law (Int. No. 207).....	85
clam beds (Int. No. 1238).....	1449, 2322, 2466, 2484

Game Law, to amend, relating to—Continued:

PAGE.

close season for black bass in Crystal lake, town of

Rensselaerville (Int. No. 800)..534, 930, 1056, 1085, 1090

1187, 1854

close season for hares and rabbits (Rec. No. 185)..1236, 2324

2468, 2501

deer, killing of (Int. No. 496).....247, 2866

deer, shooting, hunting or killing on Long Island (Int.

No. 591)..... 295

eel weirs (Rec. No. 139)....1122, 1171, 1343, 1363, 1676, 1733

1818, 2028

elk and moose, protection of, to provide for (Int. No.

348)129, 200, 214, 245, 265, 298, 817

exceptions as to St. Lawrence and Warren counties

(Rec. No. 128).....1121, 1482, 2127, 2525

expenses of seizure (Int. No. 614)..... 331

firewardens' accounts (Int. No. 1087)..... 1093

firewardens' accounts (Rec. No. 215).....1548, 2299

fishing for, catching or killing black bass, Oswego bass,

pickerel, pike or wall-eyed pike: Close season (Int.

No. 1137).....1127, 1478, 1713, 2035, 2083, 2210

fishing in Fall creek, in the city of Ithaca (Rec. No. 80). 681

929, 1060, 1106

fishing in Little river, in Albany county (Int. No. 648). 336

522, 576, 600, 726, 800, 1134

fish in Lake Ontario and other waters (Rec. No. 303).. 1865

2698, 2706, 2782

fishing through the ice in certain lakes (Int. No. 65)..62, 523

669, 722, 909, 968, 2523

fishing through the ice in lake Keuka (Int. No. 863).... 650

Game Law, to amend, relating to—Continued:

PAGE.

fishing with gill nets and spears in certain parts of Cayuga lake (Int. No. 1164).....	1148
fishing with nets and spears in Seneca lake (Int. No. 855).....	609, 930, 1057, 1084, 1090, 1186, 2821
fur-bearing animals in the counties of Wayne and Cayuga, protection of (Int. No. 1148).....	1140, 1480, 1783, 2189 2191, 2196, 2239, 2823
fur-bearing animals in the county of Livingston, for the protection of (Int. No. 566)....	289, 521, 576, 603, 607 621, 818
game birds, to provide for procuring and distributing (Int. No. 804).....	534, 1552, 1761, 1841, 2030, 2225
granting franchises for shellfish cultivation in Long Is- land sound, Suffolk county (Int. No. 770)..<	490, 928, 1206 1296, 1301, 1399, 1544, 1667, 2026
grouse and other birds (Int. No. 332)..<	127, 200, 215, 246 265, 299, 361, 391, 817
hounds and other dogs running at large in the forests of this State where deer inhabit (Rec. No. 292)..<	1800, 2323 2467, 2494
hunting and killing of deer in the counties of Ulster, Greene, Delaware and Sullivan (Rec. No. 97)..<	946, 1171 1341, 1367, 1847, 2193, 2197, 2322, 2466, 2487, 2592
Jamaica bay and adjacent waters, use of nets in (Rec. No. 48).....	492, 929, 1060, 1104
jurisdiction of courts (Int. No. 377)....	153, 931, 1056, 1085 1090, 1190, 2025
jurisdiction of courts (Rec. No. 104).....	947
killing of deer (Int. No. 675).....	404

Game Law, to amend, relating to—Continued:	PAGE.
killing of English hares in the counties of Orange, Rockland and Sullivan (Int. No. 682).....	405
lawful possession and sale of game, to repeal law (Int. No. 280)	112
length of land-locked salmon and lake trout that may be caught or had in possession (Int. No. 845)....	608, 930
	1056, 1085, 1090, 1188, 2524
manner of killing web-footed animals (Int. No. 1036)..	1023
	1478, 1713, 1730, 1787, 1972
meadow hens, mud hens, gallinule or water chickens and grebe for Long Island and vicinity (Int. No. 555).....	287, 522, 573, 602, 725, 797, 1440
meshes of nets used in Lakes Erie and Ontario and Cat- araugus creek (Int. No. 1270).....	1450
method of taking certain kinds of fish from the Ni- agara river (Int. No. 982).....	822
paying bounties for the destruction of illegal devices for the taking of fish (Int. No. 782)....	491, 707, 778, 811
	816, 861, 2770, 2831
plover and other birds, close season for (Int. No. 277)..	111
possession and sale of game (Int. No. 537)....	268, 931, 1056
	1086, 1300, 1396, 2316
powers and duties of protectors and foresters (Int. No. 347)	129
powers and duties of protectors and foresters (Rec. No. 96).....	946, 1480, 1725, 1943
prohibiting fishing in Lawrence brook in towns of Moir and Dickinson for a period of five years (Int. No. 1205).....	1308, 1478, 1712, 1731, 1787, 1967, 2524
[ASSEM. JOURNAL.]	371

Game Law, to amend, relating to—Continued:	PAGE.
prosecution of two or more penalties in one action (Int. No. 1271)	1451
protection of birds, fish and wild animals in the various counties of the State (Int. No. 1261)....	1375, 2035, 2083 2148, 2822
protection of birds, fish and wild animals in the various counties of the State (Int. No. 1269).....	1450, 1690
protection of wild birds (Int. No. 712)....	408, 707, 778, 812 960, 1042, 1072
quail, close season for, possession of, and taking fish in waters of certain lakes (Int. No. 565) ..	289, 929, 1205, 1297 1445, 1614, 2317
rabbits, hunting of (Int. No. 338).....	128
sale of dead wild bird skins (Rec. No. 158).....	1142
salmon trout and land-locked salmon, close season of (Int. No. 184).....	79
salmon trout and land-locked salmon, close season of (Rec. No. 56).....	651, 929, 1060, 1105
screening of streams and rivers to prevent the passage of fish (Rec. No. 296).....	1864, 2279
shell fish (Int. No. 802) ..	534, 931, 1056, 1085, 1091, 1191, 2025
spearing of fish in Cross lake and in the Seneca river in Onondaga county (Int. No. 1098).....	1095
spearing of white fish in Keuka lake (Int. No. 1179) ..	1304
squirrels, black and grey, hares and rabbits (Int. No. 340)....	128, 200, 215, 265, 287, 292, 307, 327, 450, 457, 817
suckers, eels and bullheads (Rec. No. 245) ..	1795, 2324, 2468 2499

Game Law, to amend, relating to—Continued:

PAGE.

taking bass from Salmon and St. Regis rivers, in towns of Ft. Covington and Bombay (Int. No. 608)....	312, 931 1057, 1084, 1090, 1185, 2026
taking shad, herring and other fish in the Hudson and Delaware rivers, and other waters (Int. No. 854)...	609 1479, 2124, 2820
taking of shad in the Hudson river (Int. No. 547).....	270
taking shad in the Hudson river (Int. No. 1339).....	1793
taking sturgeon with set lines in part of the waters of the Thousand Islands (Rec. No. 89)..	816, 1590, 2139, 2525
taking of web-footed wild fowl in Kings, Queens and Suffolk counties and in Long Island sound (Int. No. 536).....	268, 708, 894, 953, 1133, 1272, 2825
thumping (Int. No. 1113).....	1137
transportation of certain fish and game from the county of Oswego (Int. No. 696)..	406, 522, 669, 706, 891 1863, 1894, 2595, 2601, 2615, 2691, 2701, 2714
use of nets (Int. No. 864)....	650, 1171, 1513, 1681, 1848, 2113 2829
use of nets in waters adjacent to Richmond county (Rec. No. 95).....	946, 1171, 1342, 1427
venison, possession of (Int. No. 318)..	122, 200, 216, 244, 309 321, 817
web-footed wild fowl in Kings, Queens and Suffolk counties (Int. No. 584)....	294, 930, 1056, 1089, 1090, 1189 2026
wild Mongolian ringnecked pheasants (Int. No. 1345)..	1794
wild Mongolian ringnecked pheasants (Rec. No. 387)..	2608 2694, 2703, 3739

	PAGE.
Game Law, to amend, relating to—Continued:	
woodcock in the counties of Clinton, Essex and Warren	
(Int. No. 98).....	946, 2694, 2703, 2740
Gas, natural, in Allegany county, to regulate the price of	
(Int. No. 549).....	270
Gas, to regulate the price of, and to provide for a gas board	
in each city of the State (Int. No. 22).....	45
Gates, A. C., assistant doorkeeper, appointment made by	
Mr. Speaker	57
Gates, Henry L., journal clerk, appointment made by clerk.	57
Gates, sewers in town of, construction of, to provide for	
(Int. No. 1259).....	1375, 1695, 1729, 1786, 1958, 2828
General Corporation Law, section 21 of, to amend (Int. No.	
571)	290
General Grant's tomb, placing colors, standards and battle	
flags in, to provide for (Int. No. 1313).....	1546, 1804
General laws, balance due newspapers for the publication	
of, to provide for (Int. No. 1)	42, 115, 126, 132, 137, 148, 327
General laws, to amend chapter 24 (Int. No. 532) . .	268, 1258, 1390
	1532, 1847, 2205
General laws, to amend sections 10 and 18 (Int. No. 443)	192
Genesee River Co., to incorporate, relative to construction	
of dam or reservoir at Portageville (Rec. No. 272) . .	1899, 2043
	2595, 2602, 2621, 2830
Geneva, agricultural station at, horticultural investigations,	
to provide for (Int. No. 728)	452, 994, 1061, 1085, 1091, 1199
	2521
Geneva, sewer system in city of, to provide for completion	
of (Rec. No. 40).....	365, 505, 572
Geneva, to incorporate the city of (Int. No. 1101).....	1095

Geneva, to incorporate the city of (Rec. No. 289).....	1800, 2295
Gibson, James Jr., committee clerk, appointment made by Mr. Speaker	57
Glover, John R., deputy clerk, appointment made by the clerk	57
Gloversville, city of, to incorporate (Int. No. 974) ..	821, 1154, 1289 1348, 1372, 1496, 2026, 2885
Gloversville, unpaid taxes in city of, to enforce the payment of, relative to (Int. No. 973) ..	820, 1153, 1289, 1348, 1372, 1495 2027, 2885
Goewey, D. L., page, appoinment made by the clerk	58
Goldstein, Morris, application for redemption of property sold for taxes (Rec. No. 315)	1866, 2697, 2706, 2777
Goods and chattels, conditional sale of, to amend Lien Law, relative to (Int. No. 945)	787
Goods and chattels, conditional sale of, to amend Lien Law, relative to (Rec. No. 320)	1549
Government:	
appropriation for certain expenses of, and supplying deficiencies in former appropriations (Int. No. 1031) ..	949 1553, 1760, 2665, 2680, 2686, 2868, 2795, 2887
appropriation for certain expenses of, and supplying deficiencies in former appropriations (Int. No. 1372) ..	2867 2887
appropriation for certain expenses of, and supplying deficiencies in former appropriations (Rec. No. 388) ..	2795
appropriation for expenses of National Guard, Naval Militia and Volunteers (Int. No. 1375)	2870
appropriation for support of the insane (Int. No. 1373) ..	2872 2887

Government—Continued:

PAGE.

ways and means for support of (Int. No. 290)...114, 271, 315

356, 361, 385, 1540, 1690, 1743, 2471, 2838, 2842, 2887

ways and means for support of (Int. No. 1374)....2873, 2887

Governor:

committee to wait upon, to inform the, that the Assem-

bly is organized..... 15

message, annual 17

message from the, with reference to appropriation for

National Guard, Naval Militia and Volunteers..... 1870

message from the, with reference to canals..... 49

public papers of, pardons, relative to..... 228

Graham, Richard A., page, appointment made by the clerk. 58

Grain and feed, standard weight of, to fix (Int. No. 963).... 819

Grain elevating and storehouse facilities at ports of Buffalo

and New York, to provide for (Int. No. 413)..... 174

Greene, Col. Christopher, and Major Ebenezer Flagg, re-

moval of the remains of, and erection of a monument to

their memory, to provide for (Int. No. 1342).....1791, 1856

Greene, Col. Christopher, and Major Ebenezer Flagg, re-

moval of the remains of, and erection of a monument to

their memory, to provide for (Rec. No. 384)....2608, 2692, 2702

2721

Green, George E., to reimburse for moneys expended while

mayor of the city of Binghamton (Int. No. 167)..77, 125, 130

151, 171, 180, 582

Green, Richard, general messenger, appointment made by

Mr. Speaker 57

Grenell's Island park in the town of Clayton, to incorporate as a summer resort (Int. No. 1197) . . .	1237, 1561, 1759, 1840, 1861 1870, 2015, 2030
--	--

H.

Hamilton Baptist Society, trustees of the, election of suc- cessors of, relative to (Int. No. 757) . . .	456, 708, 781, 815, 853 1066
Harmony, Chautauqua county, justices of the peace in town of, to reduce the number of (Int. No. 719)	428
Harmony, Chautauqua county, justices of the peace in town of, to reduce the number of (Int. No. 939) . . .	786, 997, 1061, 1085 1091, 1198, 1854
Harris, Henry, messenger to committee, appointment made by the clerk	58
Harrison, Charles S., justice of the peace of Woodhull, rela- tive to (Int. No. 1369)	2199, 2597, 2603, 2644, 2822
Hayden, Thomas Jefferson, contesting seat of Mark J. Low- enthal	41, 2709
Healey, Edward H., deputy clerk, appointment made by the clerk	57
Hertz, Harry, page, appointment made by the clerk	58
Highway Law, to amend, relative to: application of the proceeds of county road bonds (Int. No. 958)	819, 1166, 1513, 1680, 1848, 2115, 2821 assessment for highway labor (Int. No. 1284) . . .
	1452, 2322 2466, 2483, 2823
assessments for unperformed labor (Int. No. 104)	67
assessments for unperformed labor (Int. No. 335) . . .	128, 371 409, 429, 516, 667, 721, 782, 831, 2024

Highway Law, to amend, relative to—Continued:

PAGE.

auditing of damages assessed for laying out highways	
(Int. No. 143) . . . 73, 187, 241, 264, 265, 300, 352, 450, 456,	1134
commutation of labor on, (Int. No. 193) . . . 83, 187, 273,	315
372, 480, 582, 634, 659, 1742, 2315, 2320,	2682
division of a town into districts where three commis-	
sioners are elected (Int. No. 381) . . 154, 521, 577, 605,	606
	620, 1441
exempting Clinton county from certain provisions and	
appointing commissioners for the purpose of laying	
out highways (Int. No. 742) . . . 454, 1175, 1341, 1366,	1372
	1501, 2026
exempting Clinton county from certain provisions and	
appointing commissioners for the purpose of laying	
out highways (Rec. No. 299)	1864
money, payment of by the State for aid to towns, for	
repairing highways (Int. No. 350) . . 130, 514, 573, 605,	606
	614, 772, 959, 975, 1545, 1668, 2317
money system of taxation in two or more districts in	
the same town (Int. No. 1122) 1138, 1471, 1712,	1730
	1787, 1967
pay of commissioners (Int. No. 502) . . 248, 515, 578, 673,	783
	829, 1038, 1352, 1410, 2828
road machines, purchase and repair of (Int. No. 87) . . 65,	186
	241, 264, 265, 302, 529, 673, 725, 772, 783, 1741
serving notice of meeting of commissioners to deter-	
mine the laying out of highways and assess damages	
(Int. No. 1228) 1447, 1588, 1759, 1840, 2030, 2224,	2823
stone, removal of from highways (Int. No. 346) . . . 129,	520
	685, 778, 811, 816, 860, 908, 945, 1133, 1271, 2025

Highway Law, to amend, relative to—Continued:	PAGE.
town charges (Int. No. 585).....	294
use of steam carriages, vehicles or engines on high- ways (Int. No. 490).....	225
Highways:	
claims for labor on, in town of East Chester, to provide for (Int. No. 1117).....	1137, 1695, 2145
claims for labor on, in town of East Chester, to provide for (Rec. No. 241).....	1795
county roads, relative to (Int. No. 396)..	156, 1035, 1080, 1132 1445, 1610, 2524
employment of convicts on, in Clinton county (Int. No. 644).....	336, 542, 587, 633, 634, 664, 1440
improvement of, to provide for (Int. No. 345).....	129
Independence creek or river, declaring it a public high- way (Rec. No. 298).....	1864, 2039, 2086, 2168
obstructions on, removing of, relative to (Int. No. 646)	336, 1474
public, improvement of, relative to (Int. No. 322)...	123, 598 1031, 1079, 1125, 1210, 1230, 1232, 1332
public, improvement of, relative to (Rec. No. 186)..	1236 1317, 1488
public roads, improvement of, to provide for, and sub- mission of, to the people (Int. No. 563)).....	289
repairs of, on the banks of rivers, streams or creeks (Int. No. 102).....	67
widening and improving of, in towns having a certain population (Int. No. 621).....	332

Hoffman township, comptroller to hear and determine application of John R. Wilson and Louis Suepernant for cancellation of the tax sale for unpaid taxes (Int. No. 421)...	175
	1241, 1387, 1524, 1537, 1654, 2821
Hogan, James H., messenger, appointment made by Mr. Speaker	58
Hollenger, A., stenographer, appointment made by Mr. Speaker	57
Home for their aged poor, establishment of, by religious corporations (Int. No. 978).....	821, 1036, 1082, 1131, 1444, 1612, 2827
Home, purity and sanctity of, to protect (Int. No. 23).....	45
Honeye'outlet in the town of Richmond, to deepen and improve the channel (Int. No. 837).....	586
Hopkins, Wm. S., committee clerk, appointment made by the Speaker	293
Horticultural investigations at the Geneva Agricultural Station, to provide for (Int. No. 728) ..	452, 994, 1061, 1085 1091 1199, 2521
Hotaling, Charles R., oath of office administered to.....	13
Hotaling, Charles R., second assistant doorkeeper of the Assembly, election of.....	12
Hotel and inn keepers, fraud and fraudulent practices upon or by, to prevent (Rec. No. 391).....	2609
Hours of labor and rate of wages on public works, to amend labor law, relative to (Int. No. 866).....	650, 1706
House of the Good Shepherd, to exempt the real estate of, from taxation, relative to (Rec. No. 156).....	1142, 1469 1724, 1936

Howell, John J., deputy clerk, appointment made by the clerk	57
Hubbard, Samuel M., seat contested by John E. Thorne..41,	2708
Hudson, city of, to issue bonds for cemetery purposes (Int. No. 915).....	716, 1157, 1366, 1445, 1607
Hudson city of, to issue bonds for cemetery purposes (Rec. No. 234).....	1551
Hudson, Jansen-Kil Electric Power Company, to incorporate (Int. No. 955).....	788, 1318, 2039, 2086, 2250, 2687
Hudson river and East river, bridges on below Waterford, relative to (Int. No. 373).....	153
Hudson River Power Transmission Company, to confer power to acquire rights of way in certain instances (Int. No. 981).....	822, 1038, 1269, 1296, 1301, 1346, 2317
Hudson River Power Transportation, to confer upon, right of way in Saratoga and Schenectady counties, in certain instances (Rec. No. 321).....	2199
Husband and wife, liabilities and remedies of, relative to (Int. No. 823).....	584

I.

Incorporation for purpose of carrying on law suits or litigation in whole or in part, to prevent (Int. No. 636).....	335
Independence creek or river, declaring it a public highway (Rec. No. 298).....	1864, 2039, 2086, 2168
Independent order of Odd Fellows in Oneida county, to take, hold and convey real estate (Int. No. 113).....	68
Indexing the debates and proceedings of the Constitutional Convention, to provide for (Int. No. 126)....	70, 115, 126, 132
	137, 147

Indexing the debates and proceedings of the Constitutional Convention, to provide for (Rec. No. 13)	225, 369, 413, 440
Indian law, to amend, St. Regis tribe of Indians, relative to (Int. No. 1239)	1449, 1858, 1868, 1997, 2826
Indian river, improvement of, removal of obstructions to prevent overflows, to provide for (Int. No. 520)	266, 1553 1762, 1840, 2032
Indigent soldiers, sailors and mariners and families of those deceased, to provide for the relief of (Int. No. 695)	406 1152, 1336, 1366, 1373, 1507, 2521, 2681
Injuries suffered by employes in their service, employer to make compensation for, liability of to extend and regulate (Int. No. 1340)	1794
Insane Convicts, completion of Dannemora State Hospital for, to provide for (Rec. No. 151)	1141, 1561, 1726, 1929
Insane, to amend law, relative to (Int. No. 426)	176
Instruments, negotiable, correction of manifest errors in, relative to (Rec. No. 285)	1799, 2303
Instruments of conveyance, or deeds, insertion of actual consideration for same, relative to (Int. No. 737)	453
Insurance:	
allowance of assets and estimation of liabilities upon examinations, to amend law, relative to (Int. No. 1181)	1305, 1383, 1522, 1677, 1735, 1920, 2827
corporations, to amend law, relative to (Rec. No. 124)	1120 1162, 1342, 1363, 1374, 1435, 1605, 2193, 2697, 2705, 2763 2768
duplicate copies of policies, to amend law, relative to (Int. No. 1260)	1376

Insurance—Continued:

PAGE.

examinations, expenses of, number of directors and corporate names of insurance corporations, relative to (Rec. No. 132).....	1121, 1427, 1443, 1494
fire insurance companies and for protection of policy-holders, to amend law, relative to (Int. No. 1125)....	1138
fire insurance, to protect the forming of combinations for fixing rates of premiums (Int. No. 1230).....	1447
forfeiture of policy, relative to (Int. No. 446).....	192, 352, 390
industrial and prudential insurance companies, issuing of paid-up policies by, relative to (Int. No. 922).....	729
law, to amend, credit guaranty corporations, relative to (Rec. No. 57).....	651, 1163, 1342, 1430
law, to amend, expenses of examinations, number of directors and corporate names of insurance corporations, relative to (Rec. No. 708).....	407, 520, 1269, 1348
	1354, 1443
law, to amend, insurance agents and contracts of insurance, relative to (Int. No. 200).....	84
law, to amend, life insurance corporations on the stipulated premium plan, relative to (Int. No. 641)....	335, 519
	1061, 1068, 1103, 1295
law, to amend, life or casualty corporations on the cooperative plan, relative to (Int. No. 702)....	407, 1163, 1513
	1675, 1733, 1821
law to amend, relative to corporations (Int. No. 118)...	69
law, to amend, to add additional sections thereto (Int. No. 15).....	44
Mutual Fire Insurance Company, to amend law, relative to (Int. No. 514).....	249, 352, 390, 519, 573, 606, 1040
	1097, 1741

Insurance—Continued:

PAGE.

payment of capital stock, to amend law, relative to (Int. No. 816).....	583
policy holders, better protection of, relative to (Int. No. 251)	103
policy or certificate of membership, relative to (Int. No. 122)	70
taxation of fire insurance companies and to increase taxation on foreign companies, relative to (Int. No. 248)	102, 1163
title insurance, to regulate (Int. No. 97).....	67
town and county co-operative insurance corporations, to amend law, relative to (Int. No. 1237).....	1448
town and county co-operative insurance companies, to amend law, relative to (Rec. No. 311)....	1866, 2325, 2469 2507
International Bond and Debenture Company, to incorporate (Rec. No. 307).....	1865, 2287
International Bridge Company, to incorporate (Int. No. 629).....	334, 1262, 1389, 1527
International Bridge Company, to incorporate (Rec. No. 190).....	1379, 2325, 2468, 2505
Inter-State Mortgage Debenture Company, to incorporate (Int. No. 1046).1024, 1247, 1386, 1529, 1847, 2203, 2825	
Investigations, civil and private, offices for the hiring of persons engaged in, relative to (Int. No. 1235)....	1448
Israel, Independent Order of Free Sons of, extension of endowments to widowers, relative to (Int. No. 299).....	119

J.

PAGE.

Jamaica, State normal school building at, enlargement of, to provide for (Int. No. 320).....	122
Jamestown, charter of city, to amend (Int. No. 1301)....	1691
	1862, 1872, 2322, 2466, 2486, 2834
Jamestown, charter of city, to amend, acquisition of prop- erty for water purposes, relative to (Int. No. 325).. <td>123, 1693</td>	123, 1693
	2143, 2836
Jamestown, deputy inspector of gas meters in the city of, to provide for (Int. No. 741).. <td>454, 1152, 1335, 1360, 1443, 1540</td>	454, 1152, 1335, 1360, 1443, 1540
	1647, 2318
Jamestown, public schools in city of, maintenance and gov- ernment of, to provide for (Int. No. 1319)....	1547, 1861, 1870
	2180, 2833
Jansen-Kil Electric Power Company, of Hudson, to incor- porate (Int. No. 955).....	788, 1318, 2039, 2086, 2250, 2687
Johnson, E. J., committee clerk, appointment made by Mr. Speaker	57
Johnston, Frank W., oath of office administered to.....	13
Johnston, Frank W., first assistant doorkeeper of the As- sembly, election of.....	12
Johnstown, charter of city, to amend (Int. No. 1200).. <td>1307, 1461</td>	1307, 1461
	1710, 1733, 1787, 1970, 2319
Johnstown, charter of city, to amend (Int. No. 1231).....	1448
Johnstown, city of, to incorporate (Rec. No. 341)....	2201, 2323
	2467, 2495
Jordan, wrought-iron or steel bridge over the Erie canal in the village of, to construct (Int. No. 1218). (See Canals.)	
Jubilee water system, abandoning of, and distribution of its property, relative to (Int. No. 308)....	121, 165, 184, 206, 208
	231, 726, 1083

Justice, administration of, relative to (Int. No. 726).....	452
Justice, administration of, relative to (Rec. No. 399).....	2711
Justice, better administration of, in the town of Frankfort, to provide for (Int. No. 1074)....1028, 1253, 1389, 1525, 1537 1659, 2825	
Justices of the peace in the town of Harmony, Chautauqua county, to reduce the number of (Int. No. 719).....	428
Justices of the peace in the town of Harmony, Chautauqua county, to reduce the number of (Int. No. 939)..786, 997, 1061 1085, 1091, 1198, 1854	
Jurors, creating a commissioner of, for certain counties, and prescribing his duties (Int. No. 349)....130, 352, 390, 399 427, 436	
Jurors, creating a commissioner of, for certain counties, and prescribing his duties (Int. No. 649)....336, 736, 806, 843 845, 883, 1776, 1855	
Jurors' fees, disposition of moneys held by the county treas- urers for payment of, to provide for (Int. No. 543)..269, 370 410, 445, 449, 471, 1441	
Jury lists, preparation of, relative to (Int. No. 215).....	95
Jury, special, in criminal cases; also creating a special jury commissioner in each county (Int. No. 418)....175, 543, 588 610, 1034, 1084, 1089, 1178	

K.

Keim, H. G., messenger, appointment made by the Speaker.	293
Kings, Queens and Richmond counties, disorderly persons, vagrants, etc., in, punishment of, relative to (Int. No. 760).....488, 998, 1266, 1348, 1353, 1422	
Kingston, charter of city, to amend, relative to establishing a city court (Rec. No. 329).....	2200

Kingston, school taxes in city of, collection of, to provide for (Réc. No. 31).....	337, 692, 780,	865
Kingston, Union Plank Road Company in, to acquire title to, relative to (Rec. No. 30).....	337, 692, 780,	866
Kirby, Jonah W., messenger to committee, appointment made by the clerk.....		58
Kirkland, Oriskany creek feeder in town of, protection of the walls and bed, to provide for (Int. No. 605) ..	311, 1242,	1519
	1675, 1735, 1831,	2523
Knight, Thomas, page, appointment made by the clerk.....		58
Koveleski, Emanuel, page, appointment made by the clerk.		58
Kuefer, Fred, messenger to committee, appointment made by the clerk		58

L.

Labor Law, to amend, determination of what constitutes the prevailing rate of wages to employes on public works, relative to (Int. No. 848).....	608, 1259, 1520, 1591,	1782
	1860, 1869, 2029, 2179,	2829
Labor Law, to amend, deputy factory inspectors to enforce law concerning labor on public works, relative to (Int. No. 1090).....	1093, 2036, 2084,	2247
Labor Law, to amend, deputy factory inspectors to enforce law concerning labor on public works (Rec. No. 351).....		2470
	2531, 2534,	2575
Labor Law, to amend hours of labor on public works and rate of wages, relative to (Int. No. 866).....		650, 1706
Labor Law, to amend, protection of persons employed in construction of buildings in cities (Int. No. 713) ..	408, 795,	897

Labor Law, to amend, stone used in State or municipal works, relative to (Int. No. 219).....	95
Labor Law, to amend, stone used in State or municipal works, relative to (Int. No. 1198).....	1237, 2038, 2085, 2163
Labor Law, to amend, unskilled laborers on public works, rate of wages to be paid to, relative to (Int. No. 755).....	456
	1260, 1391, 1729, 1786, 1956
Labor organizations, fraudulent representation in, to prevent (Int. No. 1304).....	1692
Labor organizations, fraudulent representation in, to prevent (Rec. No. 382).....	2608, 2704, 2748
Labor, relative to (Int. No. 998).....	848, 1260, 1520, 1705
	2029, 2528, 2598, 2603, 2646
Lading, bills of, in certain cases, issue of, to provide for (Int. No. 27).....	46, 525, 667, 722, 909, 966, 1740
Lake Champlain, to establish a ferry across, from Ticonderoga, Essex county, to Shoreham, Vt. (Int. No. 839)....	586
	1010, 1061, 1088, 1301, 1398, 2826
Lammert, Henry C., oath of office administered to.....	13
Lammert, Henry C., stenographer of the Assembly, election of	13
Lamp or lighting districts, in the several towns of the State, to establish (Int. No. 361)...	139, 737, 895, 956, 1133, 1276, 1854
Lancaster, charter of village, to amend (Int. No. 662).....	363
	753, 895, 927, 949, 1229, 1300, 1394
Lancaster, charter of village, to amend (Int. No. 1178).....	1304
	1599, 1763, 1844, 2031, 2231
Lancaster, charter of village, to amend (Rec. No. 267)...	1798, 2307
Lancaster, charter of village of, to amend (Rec. No. 115),	949, 1015

Land, acquisition of, in Adirondack park, to provide for (Int. No. 631).....	334, 730, 894, 955, 1019, 1076, 1439
Land, continuing the acquisition of, in Adirondack park, to provide for (Int. No. 984).....	822, 1100, 1553, 1761, 1840, 2031
Land, continuing the acquisition of, in Adirondack park, to provide for (Rec. No. 302).....	1865, 2033, 2082, 2096
Land devised by Michael Flood, deceased, relative to (Int. No. 230).....	100
Land devised by Michael Flood, deceased, relative to (Rec. No. 42).....	366, 736, 806, 870
Lansingburgh, charter of village of, to amend (Int. No. 596),	296
	754, 807, 840, 845, 880, 2024
Lansingburgh, charter of village of, to amend (Rec. No. 67),	652
Lansingburgh, water commissioners in village to borrow money and issue bonds, relative to (Int. No. 540).....	269
Lansingburgh, water commissioners in village to borrow money and issue bonds, relative to (Rec. No. 39).....	365, 1003
	1064, 1111
Law books, relative to (Int. No. 292).....	118, 271, 324,
	360, 450, 461, 2522
Lawrence, A. D., chief messenger in charge of pages, appointment made by the clerk.....	58
Laws of the State, more effective enforcement of, to provide for (Int. No. 253).....	103, 1000, 1601
Law suits or litigation in whole or part, incorporation for the purpose of carrying on, to prevent (Int. No. 636).....	335
Laundries, construction of, in State buildings, to amend law, relative to (Int. No. 220).....	95, 185, 202, 221, 246, 251, 726
Laundry business, persons engaged in, to furnish receipts, relative to (Int. No. 483).....	224, 1313, 1521, 1678, 1734, 1826

Leave of absence granted to:	PAGE.
Mr. Boland.....	674
Mr. Delaney.....	2594
Mr. Fordyce.....	286
Mr. Fritz	1302
Mr. Kelly	1235
Mr. Mohring	1126
Mr. Seligsberg	587
Mr. Sullivan	635, 783
Legislature, appropriation for contingent expenses of, rela- tive to (Rec. No. 1).....	97
Legislative Law, to amend number of bills, relative to (Int. No. 331).....	124, 186, 203, 212, 243, 292, 320
Legislative Law, to amend, rights and privileges of mem- bers of the Legislature, relative to (Int. No. 264).....	110
Le Roy, sale of bonds for lighting system, to legalize special election held in the village of (Int. No. 379).....	153
Lewis county, bridge over Black river at Pratt's Landing in, to provide for (Int. No. 376).....	153
Liberty, railroad commissioners of the town of, to issue bonds to retire outstanding bonds as they may become due (Int. No. 1068).....	1027, 1257, 1392, 1442, 1537, 1708
License fees for public exhibitions and for payment of a part thereof to the "Actors' Fund of America," relative to (Rec. No. 189).....	1378, 2039, 2086, 2169
Licensing of transient merchants, to provide for (Int. No. 427)	176, 351, 480, 582, 634, 657, 1439
Lien Law, to amend, conditional sale of goods and chattels, relative to (Int. No. 945).....	787

Lien Law, to amend, contracts for the conditional sale of goods and chattels (Rec. No. 220).....	1549, 2278
Lien Law, to amend, discharge and priority of liens on account of public improvements, relative to (Rec. No. 143) ..	1122
	1251, 1394, 1620
Lien Law, to amend, filing of notices, relative to (Int. No. 255)	103, 521, 577, 673, 783, 828, 2807, 2888
Lien Law, to amend, relative to sale of personal property to satisfy liens (Rec. No. 419).....	2713, 2861
Lien Law, to amend, sales of personal property to satisfy liens, relative to (Int. No. 1060).....	1026
Liens, to amend law, relative to (Int. No. 927)....	785, 1248, 1518,
	1734, 1829, 2686
Liens, to amend law, relative to (Int. No. 1009).....	914
Lighthouse on Cayuga lake at State pier, construction of, to provide for (Int. No. 790)....	532, 1241, 1387, 1525, 1537, 1655
Liquors, traffic in, and for the taxation and regulation thereof (Int. No. 286).....	113
Liquors, traffic in, relative to, and to provide for local option (Rec. No. 336).....	2200, 2324, 2468, 2498
Liquors, traffic in, taxation and regulation of, and to provide for local option (Int. No. 716).....	428
Liquors, traffic in, to provide for local option, relative to pharmacists (Int. No. 30).....	46
Liquors, traffic in, to provide for local option (Rec. No. 177) ..	1146
	1319, 1409, 1631
Liquors, traffic in, to provide for local option in towns and cities (Int. No. 25).....	45, 682, 1484
Liquor Tax Law, to amend, local option, relative to (Int. No. 821)	584

Little Falls, charter of city of, to amend (Int. No. 101)...	67, 483
	493, 719, 908, 962, 1688, 1856
Little Falls, masonry covering over channel near lock No.	
39 in city of, to provide for. (See Canals.)	
Little, Jessie, stenographer, appointment made by Mr.	
Speaker	57
Livery stable keepers, protection of, to amend law, rela-	
tive to (Rec. No. 301).....	1864, 2324, 2468, 2500
Local improvement which were annulled, recovery of as-	
sessments paid for, relative to (Int. No. 218).....	95, 1466
Lockport and Newfane, Eighteen-Mile creek in towns of, to	
clean out and improve, to provide for (Rec. No. 92)...	946, 2852
Lockport, charter of city, to amend (Int. No. 941)..	730, 917, 1202
Lockport, charter of city, to amend (Int. No. 1245).....	1449
Lockport, charter of city, to amend (Rec. No. 171)....	1144, 2312
Lockport, charter of city, to amend (Rec. No. 294).	1859, 1869, 2004
Lockport, city of, to raise money for fire, highway and street	
lighting purposes (Int. No. 1246).....	1449
Lockport, city of, to raise money for fire, highway and street	
lighting purposes (Rec. No. 293).....	1859, 1869, 2003
Lockport, electric lights in city of, to establish and provide	
for a system of (Int. No. 317)..	122, 199, 215, 245, 265, 299, 1223
	2886
Loughren, J. L., page, appointment made by the clerk....	58
Lowenthal, Mark J., seat contested by Thomas Jefferson	
Hayden	41, 2709
Lumber, logs and other timber, to regulate the floating of,	
upon rivers (Rec. No. 297).....	1864, 2698, 2706, 2780
Lyons, Normal and training school in the village of, to es-	
tablish (Int. No. 243).....	102, 185

Lytle, Alfred, claim of against the city of Buffalo (Int. No. 70).....	63, 104, 117, 127, 136, 144, 226, 531
--	---------------------------------------

M.

Madison county, to make the office of county clerk a salaried office (Int. No. 60).....	62, 1473, 2122, 2828
Malone, John G., messenger, appointment made by the clerk	58
Mamakating, junction of Basha's Kill and Pine Kill, in town of, to change channels of streams, relative to (Int. No. 258).....	109, 1242, 1519, 1676, 1735, 1916, 2889
Man-holes, subway companies to place automatic safety valves on (Int. No. 673).....	404, 1247, 1387, 1526, 1536, 1650
Manlius, soldiers' monument in the town of, location of, to change (Int. No. 1019)....	915, 1165, 1338, 1366, 1373, 1503, 2316
Mansfield, Wm. K., committee clerk, appointment made by Mr. Speaker	57
Manufacture and sale of cigarettes, to prevent (Int. No. 74) . . .	63
Manufacture and sale of cigarettes, to prevent (Int. No. 166)	77
Manufacture and sale of cigarettes, to prevent (Int. No. 798)	533
Maple Grove Cemetery Association of Worcester, election of directors, to legalize (Rec. No. 36).....	365, 514, 571
Maple sugar and syrup, to amend Agricultural Law, relative to (Int. No. 718).....	428, 547, 588, 632, 725, 802, 2318
Masonic Hall and Asylum Fund, to incorporate the trustees of the (Int. No. 208)...	93, 201, 1173, 1368, 1785, 1862, 1871, 1950
	2318
Masonic Hall and Asylum Fund, to incorporate, amount of property entitled to hold, relative to (Int. No. 671)...	404, 1037
	1078, 1129, 1232, 1322

Masons, Grand Lodge of Free and Accepted, communication from the	82
Marathon, trustees of the village of, to borrow money and issue bonds for completion of water works (Int. No. 1213).....	1356, 1600, 1676, 1733, 1816, 2524
Marriages, to amend the domestic relations law, relative to (Int. No. 761).....	489
Mather, William, page, appointment made by the clerk....	58
Mathews, Eddie, page, appointment made by the clerk....	58
Matteawan State Hospital, transfer from the State hospitals to, relative to (Rec. No. 310).....	1865, 2033, 2082, 2100
Mattison, Samuel G., assistant doorkeeper, appointment made by Mr. Speaker.....	57
McCarthy, John W., to legalize the official acts of, as a notary public (Int. No. 1353).....	1898, 2529, 2533, 2555, 2824
McClure, J. A., page, appointment made by the clerk.....	58
McKernan, Thomas, communication from, relative to claim for services rendered in Co. A, Second Battalion, Hawkins Zouaves	538, 734
McKinstry, L. committee clerk, appointment made by Mr. Speaker	57
Medical expert witnesses, appointment and examination of, relative to (Int. No. 478).....	212
Medicine, patent or proprietary, sale of, relative to (Int. No. 1161).....	1148, 1477, 1712, 1855
Meehan, Thomas F. and J. M., and William L. Cole, for the relief of (Int. No. 1343).....	1794, 2552, 2835
Members absent without leave of the House:	
Mr. Adler	763, 939
Mr. Allds	495, 1900

Members absent without leave of the House—Continued: PAGE.

Mr. Armstrong	1602
Mr. Baker	2091
Mr. Bondy	1631, 2312
Mr. Brennan, E. C.	2663, 2794
Mr. Brennen, J. F.	495, 1631, 2017, 2091
Mr. Brown	941
Mr. Burr	941
Mr. Chanler	274, 941
Mr. A. L. Clark	941
Mr. C. J. Clark	1116, 2846
Mr. Costello	941, 2737
Mr. Cottle	2091
Mr. Coughtry	274, 941, 987
Mr. Crabtree	987, 1810
Mr. Cross	939, 1293
Mr. Dale	885, 971
Mr. Davis	987, 1810, 2751
Mr. Delaney	763, 2091
Mr. Dutton	2006
Mr. Eagan	763
Mr. Eldridge	939, 1673, 1900
Mr. Evarts	274, 2091
Mr. Farrell	1293, 2751
Mr. Finn	763
Mr. Fish	987, 2006, 2737
Mr. Fitzgerald	935, 2312
Mr. Fordyce	580, 763
Mr. Fuller	274, 2006

Members absent without leave of the House—Continued:		PAGE.
Mr. Gale . . . . .	.941, 1810, 2091,	2751
Mr. Gallagher . . . . .	.1900, 2091,	2794
Mr. Goodsell . . . . .	.935, 939,	2846
Mr. Griggs		987
Mr. Guider . . . . .	.971,	2663
Mr. Hachemeister		2091
Mr. Hanna		769
Mr. Hatch . . . . .	.935, 1178, 1293, 1665, 2017,	2091
Mr. Hays		1293
Mr. Hoes . . . . .	.941,	2794
Mr. Hoffman		941
Mr. Holbert . . . . .	.1178, 1900,	2091
Mr. Hutton . . . . .	.495,	2091
Mr. Kavanaugh . . . . .	.2095,	2312
Mr. Lowenthal		1673
Mr. Martin		1673
Mr. Mason . . . . .	.2006,	2091
Mr. Matteson		1673
Mr. Ewan . . . . .	.987,	1665
Mr. McLaughlin . . . . .	.763,	2624
Mr. Meyer, G. W.		971
Mr. Miller . . . . .	.1631,	2091
Mr. Mitchell		939
Mr. Mullaney		763
Mr. Murphy		935
Mr. Murray		274
Mr. Myers		885
Mr. O'Connor		1900
Mr. Peterson . . . . .	.885,	2091
Mr. Pickett . . . . .	.1293,	2663

Members absent without leave of the House—Continued:	PAGE.
Mr. Pierce	941, 2663
Mr. Phillips	1900
Mr. Post	2006
Mr. Redington	2091
Mr. Russell	495
Mr. Sage	580, 2663
Mr. Sanford	2663
Mr. Schultz	2846
Mr. Schulum	971
Mr. Sears	2663
Mr. Seligsburg	2091
Mr. Shoeneck	971
Mr. Simmons	394
Mr. Sinsheimer	941, 2091
Mr. Sloan	580, 941, 1810. 2095
Mr. E. La G. Smith	495
Mr. Stedman	987, 1116
Mr. Taylor	763, 885, 987, 2737
Mr. Trainor	2751
Mr. Tremper	941
Mr. Tripp	763
Mr. Van Rensselaer	1665, 2006, 2663
Mr. Vincent	971, 1665, 2091
Mr. Wallace	1673, 2663
Mr. Weekes	274, 885, 1485, 1810, 2017, 2624
Mr. Weill	935, 941, 1665
Mr. Whipple	935, 2091
Mr. Williams	495, 885, 941, 1900, 2312, 2663
Mr. Zimmerman	941, 987, 1673, 2091, 2846

Membership Corporations Law, to amend, relative to number of directors (Rec. No. 323).....	2199
Memorial or Decoration Day, proper observance of, by towns, relative to (Int. No. 282)....	112, 371, 409, 445, 449, 466 726
Merchandise, to regulate the sale of, and prevent misleading and dishonest representations in connection with (Rec. No. 137).....	1122, 1250, 1393, 1618, 1861, 1870, 2009
Merchants, transient, licensing of, to provide for (Int. No. 427).....	176, 351, 480, 582, 634, 657, 1439
Merchants' Transportation and Storage Company, to incorporate (Int. No. 1221).....	1357, 2036, 2084, 2246, 2716
Merrill, J. Herman, relief of (Int. No. 202).....	84
Methodist Protestant Church of Williamsburgh, to sell land and remove bodies to the Union Cemetery (Int. No. 1263)	1376
Metropolitan Museum of Art, to incorporate (Rec. No. 75)..	680 803
Metropolitan Museum of Art, to incorporate (Int. No. 747)..	454
Meyer, Louisa C., to release to, certain lands in Farmingdale, Queens county (Rec. No. 216).....	1548, 2305
Middletown, charter of city, to amend (Int. No. 587) ..	294, 920 1058, 1088, 1091, 1193, 2027
Military text-books for the National Guard, to provide for (Int. No. 1325).....	1791
Militia, relative to (Int. No. 192)..	83, 169, 184, 361, 391, 445, 633 656
Militia, relative to (Int. No. 953)....	788, 1707, 2322, 2466, 2485 2688

INDEX.

2987

PAGE.

Militia, relative to (Rec. No. 6) ..	157, 548, 670, 719, 783, 836, 1020 1543, 2685
Milk cans, relative to (Int. No. 1035)	1023
Milk, skimmed, to amend Agricultural Law relative to sale of (Int. No. 832)	586
Milk, taking samples of, for analysis, to amend Agricultural Law relative to (Int. No. 595)	296, 759, 809, 844, 1089, 1180
Millard, James H., messenger, appointment made by the clerk	58
Miller, Joseph C., general messenger, appointment made by the Speaker	293
Military Code, to amend, making expenses of maintaining armories a State charge (Int. No. 517)	266
Milton, Willard W. Brown, justice of the peace in the town of, to legalize the official acts of (Rec. No. 111)	948, 1031 1083, 1204
Mines, safety of workmen in, to provide for (Int. No. 554) ..	287
Minisceongo creek, in Rockland county, repairing draw- bridge over, to provide for (Int. No. 600) ..	310, 1555, 2132, 2827
Missionary Society of the Most Holy Redeemer, assess- ments made on real estate of, to release (Int. No. 1015) ..	915 2260, 2825
Mohawk, trustees of the village of, to issue bonds for pay- ment of existing indebtedness (Int. No. 1184) ..	1305, 1600, 1763 1841, 2031, 2231
Mohawk, trustees of the village of, to issue bonds for pay- ment of existing indebtedness (Rec. No. 345) ..	2202, 2321, 2465 2475
Money corporations, relative to (Rec. No. 413)	2712

Money, interest on, to amend law relative to (Int. No. 359) ..	138
Money, lending of, on personal property, to provide for the incorporation of associations (Int. No. 1138)	1127
Money loaned on mortgage, exemption from taxation of, to amend law relative to (Int. No. 194)	83
Money, of the interest of, to amend law relative to (Int. No. 63)	62, 351
Money, to the interest of, to amend law relative to (Int. No. 80)	64
Monopolies in articles of commodities, to prevent, relative to (Int. No. 8)	43, 1115
Monopolies in articles of commodities, to prevent, and to enable the Attorney-General to secure testimony in rela- tion thereto (Int. No. 13)	44
Monroe county, board of supervisors, time of meeting,* to regulate and salary to provide for (Int. No. 680), 405, 1000,	1266
Monroe county, certain persons as supervisors in, to legalize and confirm the election of (Int. No. 1370)	2537, 2690, 2701
Monroe county, certain persons as supervisors in, to legalize and confirm the election of (Rec. No. 424)	2841
Monroe county, sidepaths for bicycles, construction of, and to appoint sidepath commissioners in (Int. No. 815) ...	535, 739
	808, 840, 846, 876, 1067
Montgomery county, clerk of, to make a salaried office of, relative to (Int. No. 574)	290, 372, 409, 444, 449, 470, 910
Montgomery county, midwifery in, to regulate the practice of (Int. No. 343)	129, 1477, 1713, 1730, 1787, 1971, 2830
Montgomery county, sheriff of, to make the office of, sala- ried, relative to (Int. No. 640) ..	335, 515, 578, 604, 607, 624, 818

Monument, erection of, at the outlet of Otsego lake, relative to (Int. No. 231).....	100
Monuments in memory of martyrs who perished in prison ships in New York harbor during the war of the revolution, erection of, to provide for (Rec. No. 226).....	1550
Monument to the memory of Major Ebenezer Flagg and Col. Christopher Greene, erection of, and removal of their remains, to provide for (Int. No. 1342).....	1791, 1856
Monument to the memory of Major Ebenezer Flagg and Col. Christopher Greene, erection of, and removal of their remains, to provide for (Rec. No. 384)....	2608, 2692, 2702, 2721
Moravia, Powers' Library Association of the village of, relative to (Rec. No. 8).....	157, 271, 317, 537 1789
Morristown, to reimburse Daniel G. McLarin for money stolen, while collector of the town of (Int. No. 191)....	83, 116
	126, 131, 137, 149, 327
Mortar, deleterious substances in the manufacture of, to prevent the use of (Int. No. 828).....	585, 1478, 1720
Mortgage Debenture Co., Interstate, to incorporate (Int. No. 1046).....	1024, 1247, 1386, 1529, 1847, 2203 2825
Mortgages of record in certain cases, to amend law relative to discharge of (Rec. No. 136).....	1122, 1250, 1394, 1621
Moss, Jacob, general messenger, appointment made by the Speaker	293
Mott Haven, Congregation Hand in Hand of, to confirm the incorporation and the acts and deeds of (Rec. No. 200)....	1381
	1477, 1722, 1928
Mount McGregor Memorial Association, to create (Int. No. 893).....	678, 932, 1059, 1085, 1091, 1196, 2522

Mount Vernon, charter of city of, to amend, general provisions, relative to (Int. No. 746).....	454
Mount Vernon, charter of city of, to amend, issue of highway repair bonds, relative to (Int. No. 667).....	364
	2597, 2603, 2639
Mount Vernon, charter of city, to amend, police department, relative to (Int. No. 573).....	290
Mount Vernon, charter of city, to amend, police department, relative to (Rec. No. 225).....	1550, 2326, 2469, 2513
Mount Vernon, charter of city, to amend, telegraph and electric lights, relative to (Int. No. 283).....	113
Mount Vernon, charter of city, to amend, trees and parks, relative to (Int. No. 285).....	113, 483, 493, 526, 583, 593
Mount Vernon, comptroller in city of, to establish (Int. No. 572).....	290, 2040, 2086, 2176
Mount Vernon, English Lutheran Church of, relief of, relative to (Int. No. 391)....	155, 1153, 1335, 1367, 1372, 1497, 2888
Mount Vernon, outlet sewer for the city of, construction of to provide (Int. No. 1029).....	950, 2597, 2603, 2641
Mount Vernon, sinking fund commission in city of, to establish (Int. No. 284).....	113, 483, 494, 526, 583, 592, 2836
Mount Vernon, territory lying within the incorporated city of, to annex to the city of New York (Int. No. 771).....	490
Mount Vernon, to issue street improvement bonds (Int. No. 1371).....	2699, 2707, 2838, 2843
Mount Vernon, Young Men's Christian Association of, for the relief of (Int. No. 1010).....	914, 2275, 2888
Moyer creek in the village of Frankfort, repairing the banks, bed and drops of, relative to (Int. No. 162).....	75, 541
	587, 633, 634, 660, 1440

Murderer's creek in Newburgh and New Windsor, toll	
bridge across, to be free (Int. No. 382).....	154, 253
	302, 328, 360, 380, 581

N.

Nagle, Warren, page, appointment made by the clerk.....	58
Nassau, county of, to erect from territory now comprising the towns of Oyster Bay, North Hempstead and Hemp- stead in Queens county (Int. No. 810).....	583, 1254, 1473, 1710 1748, 1806, 2035, 2083, 2211, 2823
National Academy of Design, certain real estate of, to ex- empt from taxation (Int. No. 1107).....	1136
National Guard, military text-books for, to provide for (Int. No. 1325)	1791
Natural History, American Museum of, to incorporate (Rec. No. 208)	1382, 2323, 2467
Navigation in certain tide-waters in the State, to protect (Int. No. 164)....	76, 545, 670, 759, 811, 816, 853, 1440, 2520, 2592
Negotiable instruments, relative to, correction of manifest errors therein (Rec. No. 285).....	1799, 2303
Newburgh and Cohecton Turnpike road, relative to (Int. No. 473)	212, 369, 413, 444, 448, 479, 1134
Newburgh and New Windsor, bridge over Chambers' creek in, to provide for, and toll-bridge over Murderer's creek to be free, relative to (Int. No. 382).....	154, 258, 302, 328, 360 380, 581
Newburgh, charter of city, to amend (Int. No. 384) ..	154, 258, 304 328, 450, 459, 910
Newburgh, sewer in, to provide for construction of (Int. No. 474).....	211, 348, 388, 400, 427, 437, 910

Newburgh, State armory at, to reappropriate money for ex- penses, repairs, etc. (Int. No. 1285) ..	1452, 2321, 2465, 2476, 2821
Newfane and Lockport, Eighteen-Mile creek in towns of, to clean out and improve (Rec. No. 92)	946, 2852
Newfane Basket Manufacturing Co., corporate existence of, to extend (Rec. No. 18)	291, 544, 589, 625, 674, 714
New Home bridge, over the Erie canal or Tonawanda creek, to authorize the removal of (Int. No. 93). (See Canals.)	
New Paltz, State Normal School at, addition to building, to provide for (Int. No. 41)	59
Newport, boundaries of village, to change (Int. No. 1361) ..	2198
Newport, boundaries of village, to change (Rec. No. 401) ...	2700
	2704, 2749
New Rochelle, charter of city, to amend (Rec. No. 262)	1797
	2036, 2084, 2152
New Rochelle, to incorporate the city of (Int. No. 1064)	1027
Newspapers, balance due for publication of general laws, to provide for (Int. No. 1)	42, 115, 126, 132, 137, 148, 327
New York and:	
Albany post road, to preserve forever as a State public highway (Rec. No. 242)	1795
Astoria, fares for foot passengers on ferry operated be- tween, to regulate (Int. No. 388)	155
Brooklyn bridge, additional employe on street surface railroads running over, relative to (Int. No. 1025) .	916, 1150
	1337, 1366, 1373, 1506
Brooklyn bridge, railroad employes on, to define the hours of labor and regulate their salaries (Int. No. 493)	246, 340, 1152, 1336, 1361

New York and—Continued:

PAGE.

Brooklyn, certain ferries between, to regulate the operation and rates on, relative to (Int. No. 526)..... 267

Brooklyn, fares for foot passengers on ferries operated between, to regulate (Int. No. 392)..... 155

Brooklyn, Greenpoint Ferry Co. to reduce ferriage on, between (Int. No. 525).....267, 1258

Buffalo grain elevating and storehouse facilities at the ports of, to provide for (Int. No. 413)..... 174

Long Island Bridge Co., to incorporate for the purpose of constructing bridge across East river (Int. No. 1086) 1066

New York city:

American Museum of Natural History in, to authorize further appropriations for the maintenance of (Rec. No. 153)1142, 1315, 1408, 1626

Amsterdam avenue in, street surface railroads on, laying and using of, to regulate (Int. No. 1139)....1127, 2252

Amsterdam avenue, street surface railroad tracks upon, to regulate (Rec. No. 421)..... 2713

and county, officers of election in, payments of, relative to (Int. No. 402).....172, 259, 306, 330, 403, 418, 2835

animals and cattle destroyed in, to provide compensation to the owners of, and repealing certain acts relating to, in the city of (Int. No. 824)....584, 696, 774, 1020
1092

animals and cattle destroyed in, to provide compensation to the owners of, and repealing certain acts relating to, in the city of (Rec. No. 88)..<816, 1154, 1343, 1431

New York city—Continued:

PAGE.

arts, sciences, manufactures and produce of the soil, mine and sea, exhibition of in, to provide for (Int. No. 1011)	914
auctioneers in, licensing and regulating bonds of, rela- tive to (Rec. No. 119).....	1120, 1588, 2130, 2687
Avenue B, sewer in, to revise and readjust assessments for (Int. No. 356).....	138
Baldwin, Mary S., certain deed for property in, to le- galize and confirm (Rec. No. 45).....	408, 692, 780, 869
Battery Park in, protection and use of, relative to (Int. No. 233)	100
Beardslee, Rufus G., claim of, against the city, for ser- vices as counsel to the board of education (Int. No. 1196).....	1307, 1461, 1720, 1729, 1788, 1981
Beardslee, Rufus G., claim of, against the city, for ser- vices as counsel to the board of education (Rec. No. 300).....	1864, 2039, 2086, 2170
Bellevue Hospital Medical College in, to incorporate (Int. No. 560).....	288, 709, 778, 811, 816, 863, 949
Bellevue Hospital Medical College of, to incorporate (Rec. No. 114).....	949, 1016
Board for Park avenue improvement above One Hun- dred and Sixth street in, transferring all the powers of, to the commissioners of highways (Int. No. 515)..	249
	349, 388
Board for Park avenue improvement above One Hun- dred and Sixth street in, transferring all the powers of, to the commissioners of highways (Rec. No. 46)...	408
	691, 779, 824, 886, 907, 952, 979, 2020

New York city—Continued:

PAGE.

Borough of Bronx:

damages for changing grade of streets and avenues affecting certain property in, to determine and award (Rec. No. 199).....	1381, 1469, 1722, 1931
Eighth Avenue German Baptist Church in, relief of, relative to (Int. No. 235)....	100, 1311, 1405, 1527 1538, 1751
Elton avenue and other streets in, widening and alteration of, relative to (Int. No. 485).....	224
Maps and profiles of the Twenty-third and Twenty-fourth wards in, to alter (Int. No. 430).....	177
Maps and profiles of the Twenty-third and Twenty-fourth wards in, to alter (Int. No. 805).....	534
Mosholu parkway in, construction and improvement of, to provide for (Int. No. 244).....	102
Ogden avenue in, widening, opening and grading of, relative to (Int. No. 86).....	65
public park in the Twenty-fourth ward of, to establish (Int. No. 245).....	102

Borough of Brooklyn:

additional court in, for the trial of minor felonies, to provide for (Rec. No. 268)...	1746, 2532, 2535, 2581
and Manhattan, all surviving volunteer firemen of, to pension (Int. No. 558)...	288, 1153, 1336, 1366, 1373 1508
and Queens, poor in, supplying coal to, to provide for (Int. No. 602)...	311, 690, 904, 959, 973, 1230, 1280

New York city—Borough of Brooklyn—Continued:	PAGE.
Ashland place in, construction and operation of railroads on, relative to (Int. No. 1189)....	1306, 1460 1718, 1730, 1788, 1979
Avenue C in, relative to (Int. No. 273)	111
Berry street in, repavement of, relative to (Int. No. 645).....	336, 2038, 2085, 2166
boulevards or parkways, additional, to provide for (Int. No. 210).....	94
bridge across Mill pond in the Thirty-first or Thirty- second wards, to construct (Int. No. 168)...	77, 197 1153, 1335, 1366, 1373, 1509
Brooklyn Institute of Arts and Sciences, relative to (Int. No. 494).....	247, 503, 575, 601, 725, 799, 2521
Brooklyn Institute of Arts and Sciences, to amend law relative to (Rec. No. 65).....	652, 917, 1060, 1107
Brooklyn Public Library, for use as part of a free library, commissioners of the sinking fund to transfer certain property to (Rec. No. 243)....	1795 2296
Brooklyn Public Library, for use as part of a free library, comptroller to transfer certain property to (Int. No. 1034)...	1023, 1310, 1405, 1525, 1538, 1754
Brooklyn Throat Hospital, to change the name of, relative to (Int. No. 522)...	267, 1803, 2041, 2327, 2470 2541, 2822
Central Throat Hospital and Polyclinic Dispensary of, to change the corporate name of (Rec. No. 130).....	1121, 1476, 1724, 1938

New York city—Borough of Brooklyn—Continued:

PAGE.

certain highways in, care, custody, control and improvement of, to provide for (Int. No. 634) . . 334, 924
1206, 1298, 1535, 1638

certain improvements in, to authorize the city of New York to complete (Int. No. 4) . . 42, 508, 695, 777
933

certain streets in, to widen and improve (Int. No. 544) 269, 700, 2271

certain taxes heretofore levied in, to legalize and confirm, relative to payment of same (Int. No. 1190) 1306, 1460, 1718, 1730, 1788, 1979

certain taxes heretofore levied in, to legalize and confirm, relative to payment of same (Rec. No. 358) 2538, 2598, 2604, 2647

charter to amend, police force in, equalization of, relative to (Int. No. 279) 112

Church of Atonement of, rector, wardens and vestrymen, relative to (Int. No. 1119) . . 1137, 1461, 1710, 1728
1787, 1969

claims of certain persons employed in department of collections in, relative to (Int. No. 149) . . 73, 347
504, 574, 604, 606, 620, 951, 1020, 1092, 1124, 1233 1290
2586, 2689

claims of clerks temporarily employed in department of collections in, relative to (Int. No. 148). 73
347, 503, 574, 604, 606, 619, 951, 1020, 1092, 1124, 1233
1291 2587, 2689

Clinton avenue in, relative to (Int. No. 1327) 1791

New York city—Borough of Brooklyn—Continued:

PAGE.

Clinton avenue in, relative to (Rec. No. 343)	2201, 2530, 2534, 2568
department of fire commissioners in, certain ap- pointments, to legalize and confirm (Int. No. 697)	406 1152, 1336, 1361, 1443, 1540, 1645, 2833
department of public buildings in, to amend charter, relative to (Int. No. 1157)	1303, 1459, 1717, 1845, 2029, 2219
district courts in, to amend charter, relative to (Int. No. 1166)	1148
East Fourteenth street in, railroad on, construc- tion, maintenance and operation of, relative to (Int. No. 568)	289, 349, 389, 399, 427, 438, 2833
East Nineteenth street in, railroads on, mainten- ance and operation of, relative to (Int. No. 423)	176 259, 302, 330, 360, 379, 2028
Flatbush avenue in, opening of, relative to (Int. No. 35)	47, 258, 303 329, 361, 384, 2027
German Hospital Society of, for the relief of (Rec. No. 286)	1799, 2193, 2197, 2245
Gravesend, late town of, common lands fund, rela- tive to (Int. No. 406)	173, 703
Gravesend, late town of, in, local improvement bonds, relative to (Rec. No. 99)	946, 2037, 2085, 2162
Gravesend, Surf avenue in late town of, assessment for grading and improvement of, relative to (Int. No. 437)	191
Hall of Records in, keeper of, relative to (Rec. No. 393)	2609, 2694, 2703, 2738

New York city—Borough of Brooklyn—Continued:

PAGE.

Hall of Records in, office of the keeper, relative to Int. No. 407).....	173, 923
Inebriates' Home for Kings county, corporation known as, to annul and dissolve (Int. No. 1309)..	1692
1803, 2594, 2601, 2612,	2824
monument and statue of the late Col. Abel Smith, Jr. in, erection of, to provide for (Int. No. 727)...	452
Normal and training school in, to establish, relative to (Int. No. 529).....	267
Ocean avenue in, improvement of, to authorize (Int. No. 1133).....	1126, 1458, 1715, 2771, 2836
owners of certain land in, comptroller to determine the application of, for cancellation of tax sale (Int. No. 623)..	333, 1552, 1762, 1841, 2032, 2190, 2196
	2234, 2828
park lands in, erection of gates and walls and other improvements of certain, to provide for (Int. No. 894).....	678, 1314, 1520, 1677, 1734, 1824
parks in, establishment of additional, to provide for (Int. No. 1126).....	1139, 1458, 1714, 1729, 1788, 1975
pier, at the foot of Harrison street in, to construct and continue sewer (Int. No. 56)..	61, 1153, 1335, 1369
	1373, 1509
plot of land in, to transfer to the Brooklyn Free Library, to provide for (Int. No. 654)..	362, 1152, 1336
	1360, 2529, 2533, 2562, 2834
police force in, to grade members who were officers of the Flatlands police force (Int. No. 1121).	1138, 2269

New York city—Borough of Brooklyn—Continued:

PAGE.

police force in, to grade members who were officers of the New Utrecht police force (Rec. No. 159).	1143 1316, 1433
Prospect park in, Willinck entrance to, to improve (Int. No. 174).....	78
public buildings in, office of inspector of construc- tion, alteration and repairs of, to provide for (Int. No. 861)..	649, 1462, 1721, 1747, 1840, 1860, 1869 2006, 2030, 2091
public buildings in, office of inspector of construc- tion, alteration and repairs of, to provide for (Rec. No. 376).....	2607, 2704, 2751
public interests in, relative to the fire limits (Int. No. 1062).....	1026, 1310, 1405, 1526, 1538, 1753, 2526
public library and readingroom in, to establish, and maintenance of (Int. No. 455)....	208, 503, 575, 601 724, 798, 1440, 2837
public market in, to establish (Int. No. 876).....	675
railways on East Eighteenth street in, operation of, relative to (Int. No. 246).....	102, 257, 303, 330, 361 383, 2027
real estate in, to release to Nellie McNeill and Georgianna McNeill Griffiths (Int. No. 1307)....	1692
real estate in, to release to Nellie McNeill and Georgianna McNeill Griffiths (Rec. No. 347)..	2537 2605, 2658
Robinson, Jeremiah P., bulkhead in front of his lands in Twelfth ward of, construct (Rec. No. 247)	1796, 2286

New York city—Borough of Brooklyn—Continued:

PAGE.

Robinson, Jeremiah P., to authorize, to construct a bulkhead in front of his land in (Int. No. 694) ..	406
Rush street, Division avenue and Clymer streets in, railroads on, relative to (Int. No. 570) ..290,	503
574, 604, 606,	618
salaries of teachers in the public schools of, rela- tive to (Int. No. 99)	67, 792, 825, 905, 1090, 1182
school lands in, proceeds of sale of, relative to (Int. No. 1280)	1452, 2272, 2834
Sherman street in, that portion lying between Vanderbilt avenue and Adams street, to close and strike from the town survey map (Rec. No. 414)	2712, 2858
streets and avenues in, opening of, and closing old roads or highways prior to annexation, relative to, completion of (Int. No. 1242) ..	1449, 2597, 2603, 2633
streets and avenues in, opening of, and closing old roads or highways prior to annexation, relative to, completion of (Rec. No. 411) ..	2698, 2700, 2707, 2784
street surface railways in, to charge but half fare for passengers not provided with seats (Int. No. 934)	786
Surf avenue in, assessment for grading and im- proving a part of, relative to (Rec. No. 145)	1140
	1316, 1409, 1630
theatre and theatrical representations in, to ex- tend licenses, relative to (Rec. No. 224)	1550

New York city—Borough of Brooklyn—Continued:

PAGE.

Twenty-sixth ward in, improvement of certain streets, relative to (Int. No. 1008)....	914, 2037, 2085 2161
volunteer firemen of the town of Flatbush in, payment for service rendered, to provide for (Int. No. 1058).....	1026, 2273, 2834
Wallabout lands, in, improvement, leasing and maintenance of, relative to (Int. No. 1229).....	1447
Wallabout, lands in, improvement and maintenance of, relative to (Rec. No. 324)...	2199, 2308, 2592
Wallabout Market, lands in, relative to (Int. No. 612)	331
West Seventeenth street in, grading a portion of to provide for carrying out a contract for (Int. No. 1000).....	848, 1310, 1405, 1442, 1538, 1666, 2836

Borough of Manhattan:

and Bronx, high board fences on front of lots in, relative to (Int. No. 229).....	99, 1314
and Bronx, illuminating gas in, to regulate the price of (Int. No. 6).....	42, 1263
and Bronx, poor in, supplying coal to, to provide for (Int. No. 541).....	269, 691, 904, 959, 1053, 1352, 1409
and Brooklyn, additional bridge between, construction of, relative to (Int. No. 209).....	94
and Brooklyn, ferries plying between, relative to (Int. No. 721).....	429
and Brooklyn, ferry boats running between, to regulate the fare for passengers on (Int. No. 764)	489

New York city—Borough of Manhattan—Continued:

PAGE.

and Queens, free bridge over the East river between, construction of, relative to (Int. No. 1247).	1450
pier at the foot of Market street in, to construct (Int. No. 814).....	538
pier at the foot of West Ninety-eighth street in, to construct, relative to (Int. No. 512)....	249, 790, 1151
	1337, 1369, 1536, 1644
pier 28, East river in, to authorize the city, to rebuild or alter (Int. No. 1145)...	1139, 1465, 1676, 2029
public park along East river in, to lay out and establish (Int. No. 588).....	295
street surface railways, cars in, to compel the employment of an additional conductor on (Int. No. 784)	491

Borough of Queens:

county treasurer of, annual arrearages of taxes, to create a fund to liquidate, relative to (Int. No. 610).....	312, 515, 578, 605, 607, 623, 1742
fire insurance corporations in, distribution of moneys collected on account of taxation of, relative to (Int. No. 527)...	267, 505, 668, 1801, 1863, 1896
	2327, 2470, 2539, 2835

First Methodist Episcopal church of Hunters

Point, to change name of (Rec. No. 164)...	1144, 1476
	1724, 1937

Hempstead and Jamaica, planting of oysters in the public waters of the towns of, to protect (Int. No. 37)	47
---	----

New York city—Borough of Queens—Continued:

PAGE.

Hempstead, new schoolhouse in district No. 14 of the town of, relative to (Int. No. 239).....	101, 186, 203 221, 223, 235, 292
Jamaica, Woodhaven, fire department of the town of, support and maintenance of, to provide for (Int. No. 1212).....	1355, 1695, 1773, 1840, 2032, 2191 2196, 2238, 2887
Jones fund, for support of poor in towns of Oyster Bay and North Hempstead, to appoint trustees of (Int. No. 1225).....	1358, 1694, 1773
lands in, sale of and collection of taxes in certain towns, relative to (Int. No. 261)....	108, 372, 486, 633 653, 1741
Nassau, county of, to erect from territory now com- prising the towns of Oyster Bay, North Hemp- stead and Hempstead, in Queens county (Int. No. 810).....	583, 1254, 1473, 1710, 1748, 1806, 2035, 2083 2211, 2823
Newtown in, burial or other disposition of dead bodies in town of, relative to (Int. No. 1136)....	1127 1471, 1712, 1746, 1842, 2030, 2222, 2822
police forces of former villages and towns in, rela- tive to (Int. No. 498).....	247
supervisors in the several wards of, election of, to provide for (Int. No. 847).....	608
taxes in, collection of and land sold for taxes, rela- tive to (Int. No. 1112).....	1137, 1473, 2123, 2822
taxes in, to levy and provide a tax budget (Int. No. 1018).....	915, 2038, 2085, 2165, 2835

New York city—Borough of Queens—Continued:

PAGE.

taxes, water rates and rents, unpaid in Long Island

City, now New York city, relative to (Int. No.

278).....112, 693, 776, 811, 815, 859, 2027

Borough of Richmond:

Poor in, for supplying coal to, to provide for (Int.

No. 745).....454, 793, 826, 904, 961, 1052, 1352, 1411

Richmond County Society for the Prevention of

Cruelty to Children, Board of Estimates of New

York city to make annual appropriation to the

(Int. No. 977)..... 821

supervisors in, powers of, relative to (Int. No. 1346). 2691

2701, 2716, 2889

Cady, Berg and Lee, architects, claim of for services

rendered, relative to (Int. No. 1334)..... 1793

certain real estate in, to release the interest of the

State to Robert L. T. Irvin, Mary I. Smith and Ethel

Irvin (Int. No. 1290).....1453, 2274

certain real estate in, to release the interest of the

State to Robert L. T. Irvin, Mary I. Smith and Ethel

Irvin (Rec. No. 354).....2471, 2529, 2533, 2564

charter of, to amend, additional justices, relative to

(Int. No. 52).....60, 341, 789, 896, 958, 961, 1055, 1072, 1124

1233, 1373, 1442, 1544, 1744, 1790

charter of, to amend, appeals from municipal court,

relative to (Int. No. 312).....121, 2691, 2701, 2718

charter of, to amend, appeals from municipal courts,

relative to (Rec. No. 269).....1746, 2532, 2535, 2579

charter of, to amend, appointment of police clerks, rela-

tive to (Int. No. 454).....208, 693, 776, 811, 815, 858, 1739

New York city—Continued:

PAGE.

charter of, to amend, assessments for the construction of sewers, relative to (Int. No. 799).....	533
charter of, to amend, board of assessors, appointment of, relative to (Int. No. 482).....	224
charter of, to amend, board of public charities, relative to (Int. No. 1063).....	1027
charter of, to amend, board of public improvements, relative to (Int. No. 1191).....1306, 1460, 1718, 1788, 2523	2683, 2684
charter of, to amend, buildings in city, relative to (Rec. No. 211).....	1548, 1859, 1869, 2002
charter of, to amend, buildings, relative to (Int. No. 960).....	819, 1151, 1337, 1367, 1785, 1952
charter of, to amend by adding a new section, relative to actions for penalties (Int. No. 1108).....	1136
charter of, to amend, city court, enlarging the jurisdic- tion of, relative to (Int. No. 504).....	248
charter of, to amend, clerks and interpreters of courts, relative to (Int. No. 780)..	491, 918, 1058, 1296, 1442, 1523 1729, 1786, 1960, 2527
charter of, to amend, clerk to sign warrants, relative to (Rec. No. 191).....	1379, 2038, 2085, 2164
charter of, to amend, creation of a new aldermanic dis- trict, relative to (Int. No. 326).....	123, 1310, 1405, 1526 1538, 1750
charter of, to amend, commissioners of parks, relative to (Rec. No. 54).....	493, 693, 779, 863
charter of, to amend, contracts for lighting, etc., rela- tive to (Int. No. 405).....	173

New York city—Continued:

PAGE.

charter of, to amend, department of parks, relative to (Int. No. 448).....	225
charter of, to amend, doormen, relative to (Int. No. 180).....	79, 347, 1311, 1404, 1684, 1848, 2112
charter of, to amend, eligible to justice of municipal court, relative to (Int. No. 506).....	248, 348, 388, 400 529, 552
charter of, to amend, engineers, relative to (Int. No. 822).....	584, 1157, 1514, 1683, 1848, 2208
charter of, to amend, execution against the person shall not be issued, in certain cases, relative to (Int. No. 262)	110
charter of, to amend, fire-proof building material, rela- tive to (Int. No. 1083).....	1029, 1466
charter of, to amend, franchises, relative to (Int. No. 1243)	1449
charter of, to amend, government of, relative to setting apart piers for recreation (Int. No. 1171).....	1303, 1460 1718, 1729, 1980
charter of, to amend, grades, ranks and salaries of offi- cers and members of the uniformed force of the fire department (Int. No. 10).....	43, 194, 920, 1059, 1069 1130, 1231, 1285
charter of, to amend, health department, relative to (Int. No. 79).....	64
charter of, to amend, hospitals and dispensaries, rela- tive to (Int. No. 365).....	139, 343, 1463, 2268
charter of, to amend, hours of city magistrates, relative to (Int. No. 619)....	332, 699, 892, 955, 961, 1054, 2584, 2832

New York city—Continued:

PAGE.

charter of, to amend, interpreters in the municipal courts, relative to (Int. No. 1289).....	1453
charter of, to amend, jurisdiction, relative to (Int. No. 263)	110
charter of, to amend, justices of municipal court, relative to (Int. No. 232).....	100
charter of, to amend, leases for public purposes, relative to (Rec. No. 282)....	1799, 2530, 2533, 2566, 2594, 2601, 2609
charter of, to amend, mechanics' liens on account of public improvements, relative to (Rec. No. 218).....	1549
	2598, 2604, 2648
charter of, to amend, municipal court, relative to (Int. No. 241).....	101, 198, 350, 390, 398, 529, 550, 2832
charter of, to amend, municipal court, relative to (Int. No. 550).....	270
charter of, to amend, municipal court, relative to (Rec. No. 37).....	365, 482, 494, 568, 1354, 2816
charter of, to amend, newspapers, designated in which corporate notices are to be advertised, relative to (Int. No. 434).....	191, 339, 696, 892, 955, 958, 1052, 2832
charter of, to amend, Normal College, relative to (Rec. No. 265).....	1745, 2604, 2655
charter of, to amend, pensions for roundsmen and patrolmen, relative to (Int. No. 256).....	109
charter of, to amend, pharmacists and druggists, relative to (Int. No. 1027).....	916
charter of, to amend, police department pension fund, relative to (Int. No. 561).....	288
charter of, to amend, police department pension fund, relative to (Rec. No. 162).....	1143, 1469, 1723, 1935

New York city—Continued:

PAGE.

charter of, to amend, public school teachers' retirement fund, relative to (Int. No. 825).....	585, 696 775, 814, 959, 1039, 1234
charter of, to amend, qualifications of justices of court of special sessions and city magistrate (Rec. No. 258)..	1797 2704, 2747
charter of city, to amend, relative to collection of unpaid taxes and assessments (Rec. No. 369).....	2606 2692, 2702, 2726
charter of, to amend, relative to municipal courts (Int. No. 64).....	62
charter of city, to amend, relative to school buildings (Rec. No. 377).....	2600, 2605, 2607, 2660
charter of, to amend, review of assessments, relative to (Int. No. 409).....	173
charter of, to amend, salaries of officers and members the police force, relative to (Int. No. 1123).....	1138
charter of, to amend, salaries of teachers in public schools, relative to (Rec. No. 295).....	1863, 2288
charter of, to amend, Sanitary Code, relative to the board of health and its powers and duties (Int. No. 1037)	1023
charter of, to amend, school teachers' retirement fund, relative to (Rec. No. 59).....	536, 691, 780, 864
charter of, to amend, Sisters of the Poor of St. Francis, relative to (Int. No. 128).....	71
charter of, to amend, so that sections relative to the city district courts shall conform with corresponding sections of the Code of Civil Procedure (Int. No. 905),	727

New York city—Continued:

PAGE.

charter of, to amend, specified sums for certain purposes, relative to (Int. No. 567), 289, 792, 826, 906, 961, 1050	
charter of, to amend, specified sums to be included by board of estimates, relative to (Int. No. 917).....	729
	919, 1057, 1300, 1395
charter of, to amend, St. Agnes Nursery, appropriation for the benefit of, relative to (Int. No. 765).....	489
charter of, to amend, street cleaning department, relative to (Int. No. 242).....	101
charter of, to amend, street cleaning department, relative to (Int. No. 447).....	192
charter of, to amend, swine and pigs, slaughtering of, relative to (Int. No. 371).....	139
charter of, to amend, tenement and lodging houses, improvement of, to provide for (Int. No. 1223).....	1357
charter of, to amend, tenement and lodging houses, improvement of, to provide for (Int. No. 1258).....	1378, 2256
	2835
charter of, to amend, terms of office of the boards of education, relative to (Int. No. 110).....	68
charter of, to amend, unpaid taxes and assessments, relative to (Int. No. 635).....	334, 694, 775, 814, 816, 856, 1440
	2837
charter of, to amend, Veteran Firemen's Association of the North Shore Fire Department, relative to (Int. No. 624)	333
city court of, relating to (Int. No. 106).....	68
claim of Lewis M. Hornthal, Richard Kelly, Joseph and Jeremiah Fitzpatrick, for expenses in action brought against them by Louise M. Galligan (Rec. No. 155) ..	1142
	2323, 2467, 2497

New York city—Continued:

PAGE.

claim of Louis W. Briggs, for work done on grammar school No. 85 (Rec. No. 357).....	2538, 2699, 2707, 2787
claim of Mary E. Ward, for extra work done in enlargement of the Metropolitan Museum of Art (Rec. No. 356)	2538, 2605, 2656
clerks or employes in, to legalize and confirm, and provide for their compensation (Int. No. 717)..	428, 918, 1058 1087, 1234, 1355, 1364, 1383, 1531, 1539, 1755, 2526
commissioner of correction of, to provide for payment of claim for services, etc., in connection with alterations to the tombs and other institutions (Int. No. 1234)	1448, 2277, 2835
commissioners of deeds in, to extend power of, relative to (Int. No. 411)....	174, 631, 672, 719, 782, 852, 1742, 2837
commissioners of the sinking fund in, to cancel and annul certain assessments (Rec. No. 147)..	1141, 1469, 1722 1930
Congregation Mishkan Israel Anshe Suwalker in, relative to (Int. No. 1172)....	1304, 1475, 1714, 1729, 1788, 1976 2528
Congregation Shearith Israel in, relative to (Int. No. 112).....	68, 257, 303, 328, 361, 382
Congregation Shearith Israel in, relative to (Rec. No. 50)	499
Conklin, Annie B., for the relief of (Int. No. 108)....	68, 253 338, 481, 525, 527, 567, 1216, 1295, 2190
corporate stock of, issue of, for the purpose of improving the water front, relative to (Int. No. 1255).....	1378
Deering, William A., claim of, for advertising sale of bonds of the late city of Brooklyn, relative to (Int. No. 914).....	716, 917, 1058, 1085, 1090, 1184

New York city—Continued:

PAGE.

Deering, William A., claim of, for advertising sale of bonds of the late city of Brooklyn (Rec. No. 166)...	1144 1315, 1407, 1624
department of finance in, a division of notification in, to create (Int. No. 1300).....	1691
department of parks in, to lay out grass plots and flower beds on Fourth avenue, relative to (Int. No. 495)	247
district courts in, to legalize the acts of former justices of, and provide for payment for their services (Rec. No. 209).....	1383, 2323, 2467, 2493
dock board of, to lease certain land and land under water for boat-house service (Int. No. 744) ..	454, 698, 892 955, 1019, 1073, 2583, 2689
East river, bridge over, authorized by chapter 789 of the Laws of 1895, relative to (Int. No. 1156).....	1303
East river bridge, authorized to be constructed by chap- ter 789 of the Laws of 1895, relative to (Int. No. 1109).....	1136, 1482, 1713, 1747, 1842, 2030
East river, bridge over, in, construction of, and to pro- vide for railroads, bicyclists and foot passengers (Int. No. 281)	112
East river, bridge over, construction of, relative to (Rec. No. 288).....	1800, 2035, 2083, 2148
East river in, bridge or bridges over connecting parts of (Int. No. 410).....	174
East river in, bridge over, to provide for use of, by rail- roads, bicyclists and foot passengers, relative to (Int. No. 577) ..	291, 920, 1059, 1070, 1129, 1231, 1286, 1687, 1769 1812

New York city—Continued:

PAGE.

East river in, certain slips, piers and wharves on, to regulate the use of (Int. No. 438)..... 191

East river, certain slips, piers and wharves on, to regulate the use of (Rec. No. 255)..1796, 2042, 2694, 2703
2734

East river park in, to lay out, and comptroller to refund the assessments levied and collected (Int. No. 415) 174

electrical conductors in, operation of, and construction of a subway, relative to (Int. No. 734)...453, 1037, 1078
1129, 1232, 1322, 1739

electric lights in, to regulate the price of (Int. No. 223). 96

Evangelical Lutheran Church of the Atonement of, for relief of (Int. No. 991)....846, 1150, 1337, 1367, 1373, 1506

Evangelical Lutheran Church of the Atonement of, for the relief of (Rec. No. 222)....1549, 1803, 2322, 2467, 2488

farm colony for the detention and instruction of men convicted of vagrancy, or habitual drunkenness of, to provide for (Rec. No. 131).....1121, 2695, 2704, 2746

farm colony for detention of persons convicted, vagrancy or drunkenness, to provide for (Int. No. 185)... 79

ferry boats in and around, proper facilities for passengers, to provide for (Int. No. 372).140, 544, 1011, 1207, 1288

final maps and profiles of the twenty-third and twenty-fourth wards in, to alter (Int. No. 404)..... 172

finance department in division of notification, to create (Int. No. 387)..... 155

fire department in, for the relief of officers who have served as chief engineers (Rec. No. 423) 2713

New York city—Continued:

PAGE.

firemen, who have served five years or more in the department, to enable the commissioners of, to appoint (Int. No. 1061).....	1026
Fleck, Frank, claim of, against city of, relative to (Int. No. 887)	677, 1463, 2122, 2830
gas, illuminating, in certain boroughs of, to regulate the price of (Int. No. 294).....	119
German Reformed Protestant Dutch Church in, releasing certain real estate of, from taxation (Int. No. 925)	730
German Reformed Protestant Dutch Church in, releasing certain real estate of, relative to (Rec. No. 167)..	1144
	2192, 2197, 2244
Hebrew charities building in, for the incorporation of (Rec. No. 55).....	535, 759, 809
illuminating gas in, to regulate the price of (Int. No. 172)	78
inferior courts of criminal jurisdiction in, relative to (Rec. No. 173).....	1146, 1315, 1408, 2694, 2703, 2741
intelligence offices, employment agencies, etc., in, to regulate the keeping of (Int. No. 909).....	728
investments by the commissioners of the sinking fund, relative to (Rec. No. 281).....	1799, 2310
Lexington avenue in, comptroller to refund the assessments for opening a portion of, relative to (Int. No. 436)	191, 507, 1312, 1521, 1678, 1734, 1825
local improvements, recovery of assessments paid for, relative to (Int. No. 353).....	137

New York city—Continued:

PAGE.

monument in memory of the martyrs who perished in prison ships, to provide for (Int. No. 57)	61, 349, 389, 399 426, 434, 2026
Mount Sinai Hospital in, change of lease, relative to (Int. No. 1314)	1546, 1860, 1869, 2179, 2318
Mount Sinai Hospital in, change of lease, relative to (Rec. No. 327)	2199, 2309
municipal court in, relative to (Int. No. 7)	42, 106
New York Mutual Title Insurance Company, to incorpo- rate (Int. No. 214)	94, 733, 894, 953, 1019, 1074, 1126, 1211 1545, 2828
nineteenth ward, trustees of the common schools, city to pay expenses for legal services, in action brought by Louise M. Galligan (Int. No. 492)	246
Ninth avenue in, relative to (Int. No. 275)	111
outlet sewer in Farragut street, relative to construction of (Rec. No. 415)	2712, 2859
patrolmen, transferred from other forces, eligibility to grade of, to determine (Int. No. 1308)	1692
person or persons, who are nonresidents in, to prohibit the appointment of (Int. No. 857)	610
persons holding public office in, qualifications of, rela- tive to (Int. No. 705)	407, 2865
pharmacists and druggists in, regulation of, and to pre- vent accidents in compounding medical prescriptions (Rec. No. 183)	1235, 1371, 2693, 2702, 2728
power of removal, by the mayor of, relative to (Int. No. 5)	42
public administrator in, powers, duties and obligations of, relative to (Int. No. 872)	675

New York city—Continued:

PAGE.

public administrator of, defining his rights, powers, duties and obligations, relative to (Rec. No. 141)	1122
	1250, 1393, 1619
public park in, laying out of a, to provide for (Int. No. 337)	128
public park in, to provide for (Int. No. 449)	193
Purcell, C. J., Company of, to change the name of (Rec. No. 105)	947, 1032, 1269, 1296, 1354, 1426, 1743
railroads, street surface in, fares on, to regulate (Int. No. 250)	102, 740, 808, 1008
real property within territory recently added to, re- demption from sales of, relative to (Rec. No. 306)	1865
	2853
Reilly, James P., fireman in, commissioners to rehear and determine charges against (Int. No. 225)	96, 919
	1059, 1085, 1091, 1195, 2527
Roman Catholic Orphan Asylum, to confirm the title to certain lands in, relative (Rec. No. 17)	226, 504, 579, 596
St. Joseph's Asylum in, to exempt the real estate of, from taxation, assessments and water rents (Int. No. 1040)	1023
St. Joseph's Asylum in, to release from assessments made on real estate of, relative to (Int. No. 1014)	915, 2259
St. Luke's Church in, to relieve from a portion of the assessment for opening Convent avenue (Rec. No. 44)	408
	504, 578, 595
St. Luke's Church in, to relieve from assessment for opening St. Nicholas terrace (Int. No. 301)	120, 502
	576, 604, 606, 614

New York city—Continued:

PAGE.

ships, piers and wharves on East river in, to regulate the use of (Int. No. 1017).....	915
societies for the prevention of crime in, to govern (Int. No. 788).....	532
Society for the Reformation of Juvenile Delinquents in, to incorporate (Int. No. 902)....	679, 1030, 1079, 1130 1231, 1319, 2523
Stark, William F. S., as assignee for George S. Chapman for expenses incurred by him as police captain of, relative to (Int. No. 1012).....	914
steam engineers, machinists, oilers and firemen, in the department of water supply. Uniformed force, relative to (Int. No. 576).....	291, 694, 755, 823, 907, 951 1020, 1093, 1125, 1233
Steinberger, Julius, for expenses incurred by him in the board of excise of, claim of, relative to (Int. No. 1013)	914
stenographers of the city court in, relative to salaries (Rec. No. 406).....	2696, 2700, 2705, 2760
Storm, Fred E., claim of, for services for making and furnishing maps, relative to (Int. No. 626).....	333, 694 776, 810, 815, 857, 1779, 1855
streets, avenues and public places, after completion of public improvements on, repairs of, to provide for (Int. No. 1219)....	1357, 1694, 1774, 1841, 2032, 2040, 2086 2175, 2191, 2196
streets, avenues, roads, public parks and squares in, to open and improve, relative to (Int. No. 362).....	139, 502 575, 674, 712, 904, 959, 1039, 1068, 1125, 1210

New York city—Continued:

PAGE.

Supreme Court, first judicial district and appellate division in, salaries of attendants, relative to (Rec. No. 28).....	337, 791, 827,	889
Tamsen, Edward J. H., claim of against the city (Rec. No. 422).....	2713,	2854
telegraph, telephone and electric light wires and poles on certain streets and avenues in, removal of, relative to (Int. No. 625).....		333
territory with the incorporated city of Mount Vernon, to annex to (Int. No. 771).....		490
Twenty-third and Twenty-fourth wards in, damages caused by changing of grades in, relative to (Int. No. 1192)		1306
Twenty-third and Twenty-fourth wards in, damages caused by change of grade, relative to (Rec. No. 58)..		651
	917, 1060,	1108
Union Methodist Episcopal Church in, releasing certain real estate from taxes (Int. No. 733).....	453, 793,	826
	904, 961, 1051,	2526
University Settlement Society of, and Educational Alliance, to exempt from taxation, assessment and water rates (Int. No. 351)....	137, 257, 303, 329, 360,	381
	1222, 1295, 1437, 1442, 1543,	2886
Volunteer firemen of the Twenty-third ward, late town of Morrisania in, to pension the surviving (Int. No. 1069)		1028
water department in, to secure a uniformed force of steam engineers, machinists, etc., relative to (Int. No. 117)		69

New York city—Continued:

PAGE.

Westchester county, that portion of annexed to New York city, volunteer firemen of, to provide for (Rec. No. 100).....	947, 1468, 1723, 1932
Wynn, William S. and James C., for relief of (Int. No. 1007)	914, 1150, 1337, 1366, 1373, 1505, 2026, 2885
Young Men's Hebrew Association, to exempt the real estate of from taxation (Rec. No. 169)....	1144, 2326, 2469
	2512

New York Realty Bond Exchange and Trust Company, to incorporate (Rec. No. 170).....	1144, 1251, 1393, 1687, 2037
	2085, 2217

New York State:

Armory, erected for the Forty-seventh Regiment, National Guard, repairing and enlarging of, to provide for (Int. No. 930)....	785, 1243, 1519, 1675, 1735, 1832, 2686
commerce, destruction of, to prevent unjust discrimination in freight rates, relative to (Int. No. 647).....	336
commerce of, appointment of a commission to inquire into the condition of, and suggest legislation therefor (Int. No. 1089).....	1093, 1552, 1726, 1804, 2522
Firemen's Association, to enable the city of Binghamton, to provide for entertainment of (Int. No. 458)..	209
	339, 389, 400, 427, 439, 818, 1234
port, public wharves and dockage accommodations, relative to (Int. No. 557).....	288
new State, out of territory within jurisdiction of, consenting that Congress may create (Int. No. 105).....	68
New State, submission of the question to a vote of the people in certain counties (Int. No. 107).....	68

New York State—Continued:

PAGE.

Reformatory, at Elmira, courts to fix definite terms in sentencing convicts to (Int. No. 20)	45, 684, 911, 1033 1269, 1350, 1536, 1642
Reformatory, at Elmira, completion of the south wing, to provide for (Int. No. 511)	249
Reformatory for Women, at Bedford, to provide for (Int. No. 650)	336
representation of, at the Universal Exposition of Works of Art and Industrial and Agricultural Pro- ducts at Paris, in the year 1900 (Int. No. 911)	728
representation of, at the Universal Exposition of Works of Art and Industrial and Agricultural Pro- ducts at Paris, in the year 1900 (Rec. No. 144)	1123, 1245 1393, 1617
road, in Herkimer and Oneida counties, to provide for repairing and improving of (Int. No. 82)	65, 2691, 2701 2717
Soldiers and Sailors' Home at Bath, appropriation for, relative to (Int. No. 297)	119, 732, 894, 956, 1019, 1077 1861, 1870, 2012
Soldiers and Sailors' Home at Bath, certain improve- ments at, to provide for (Int. No. 296)	119, 733, 805, 840 845, 873, 1441
Soldiers and Sailors' Home, chaplains for, appointment of, relative to (Int. No. 842)	607
Soldiers and Sailors' Home at Bath, conferring local rank upon the commandant of (Rec. No. 214)	1548, 2326 2469, 2511
Soldiers and Sailors' monument, erection of, to provide for (Int. No. 1094)	1094

New York State—Continued:

PAGE.

soldiers, who engaged in battle at Chattanooga, suitable monuments in honor of, to provide for (Int. No. 144).....	73, 115, 126, 131, 136, 146,	326
topographic survey and map of, State Engineer and Surveyor to continue to co-operate with the director of the United States Geological Survey in making a, to provide for (Int. No. 1206).....		1308
topographic survey and map of, State Engineer and Surveyor to continue to co-operate with the director of the United States Geological Survey in making a, to provide for (Rec. No. 352).....	2538, 2605,	2659
University of, to amend laws, relative to (Int. No. 487).		224
Woman's Relief Corps Home, relative to, and making an appropriation for (Int. No. 975)...	821, 993, 1060, 1068	
	1069, 1102, 1295, 1853, 2029, 2033,	2520

New York Water and Electric Power Company, to incorporate and define its powers (Int. No. 709)...	407, 538, 599,	613
		1697

Niagara, Cayuga creek in town of, deepening and improving of, to provide for (Int. No. 394).....		155
--	--	-----

Niagara Falls, charter of city, to amend, fire commissioners, to establish board of and fix salaries of city officers (Int. No. 509)		249
--	--	-----

Niagara Falls, charter of city, to amend, salary of mayor and aldermen, relative to (Int. No. 175).....		78
---	--	----

Niagara Falls, charter of city, to amend, to establish a board of fire commissioners and regulate the salaries of the various city officers (Rec. No. 236)...	1552, 2037, 2084,	2158
---	-------------------	------

Niagara River Tramway Company, to incorporate (Int. No. 386).....	154, 995, 2043, 2549, 2697,	2706
---	-----------------------------	------

Normal and training school in or near the village of Brewster, to establish (Int. No. 479).....	223
Normal and training school in the village of Camden, to establish (Int. No. 84).....	65
Normal and training school in the village of Frankfort, to establish (Int. No. 34).....	47
Normal and training school in the village of Lyons, to establish (Int. No. 243).....102,	185
Normal and training school in the village of Port Jervis, to establish (Int. No. 462).....	210
Normal school building at Jamaica, enlargment of, to provide for (Int. No. 320).....	122
North Tonawanda, charter of city of, to amend, city officers, relative to (Int. No. 964).....	819
North Tonawanda, charter of city of, to amend, police force, relative to (Int. No. 965).....	820
North Tonawanda, Firemen's Benevolent Association of, to incorporate (Int. No. 109).....68, 1476, 1714, 1782,	2189
North Tonawanda, to incorporate the city of (Int. No. 669)..	364
Norwich, charter of village, to amend, paving of streets, relative to (Int. No. 651).....338, 379, 402, 449, 464,	530
Notary public, to legalize and confirm the official acts of (Int. No. 212).....94, 1030, 1078, 1129, 1232, 1323, 2024	
Notary public, to legalize and confirm the official acts of, (Int. No. 1103).....1096, 1317, 1367, 1372, 1434, 2826	
Notices, filing of, to amend the Lien Law, relative to (Int. No. 255).....103, 521, 577, 673, 783, 828, 2807, 2888	
Nyack fire department, to incorporate, and to exempt its property from taxation (Int. No. 599)..310, 546, 587, 633,	634
	662, 1439, 2316, 2320, 2592

O.

PAGE.

Officers, trustees and reserve fund of Catholic Mutual Bene- fit Association, to incorporate (Int. No. 385).....	154, 369 482, 526, 633, 658, 1134
Ogdensburgh, charter of city, to amend (Rec. No. 346).....	2201 2530, 2534, 2570
Ogdensburgh, schools and academies in the village of, rela- tive to (Int. No. 1236).....	1448
Ogdensburgh, schools and academies in, relative to (Rec. No. 312).....	1866, 2325, 2469, 2506
O'Grady, James M. E., elected speaker.....	8
Oil, linseed or flaxseed, adulteration of and deception in the sale of, to prevent (Rec. No. 85).....	681, 931, 1206 1296, 1301, 1401, 1742
Olean, charter of city, to amend (Int. No. 534).....	268, 510, 699 892, 953, 1133, 1273, 1295, 2190
Oneida, construction of vertical retaining walls on each side of the feeder of the Erie canal, in the village of, to provide for (Int. No. 1329). (See Canals.)	
Oneida county, clerk of, to make salaried office of the, rela- tive to (Int. No. 153).....	74, 187, 203, 222, 287, 315, 366
Oneida county, clerk of, to make salaried office of the, rela- tive to (Rec. No. 20).....	291
Oneida county, Independent Order of Odd Fellows in, to take, hold and convey real estate (Int. No. 113).....	68
Oneida county, sheriff of, to make salaried office of the, rela- tive to (Int. No. 152).....	74, 1254, 1472, 1711 1729, 1786, 1962, 2523
Oneida county, supervisors of, to designate a board of equal- ization in, and define its power and duties (Int. No. 797)..	533 737, 797, 840, 845, 878, 2828

Oneida county, supervisors of, to designate a board of equalization in, and define its powers and duties (Rec. No. 94) ..	946
Oneida creek, fishways in the waters of, to provide for (Int. No. 606)	311
Oneida, normal and training school in village of, to establish (Int. No. 61)	62
O'Neil, Mathew, page, appointment made by the clerk	58
Oneonta, charter of village, to amend, taxes and claims for damages, relative to (Rec. No. 176)	1146, 1601, 1770
Oneonta, Electric Water Power Company of, to incorporate (Int. No. 1295)	1690, 2038, 2085, 2249, 2593
Onondaga county, bridge over the inlet to Otisco lake, to provide for (Int. No. 412)	174, 733, 805, 840, 845, 872, 2824
Onondaga county, clerk of, to make salaried office of the, relative to (Int. No. 133)	71, 188, 203, 222, 287, 316, 488
Onondaga county penitentiary, to dispose of and provide for erection of a new penitentiary (Int. No. 575)	290
	370, 411, 444, 448, 476, 910
Onondaga Indian Reservation, highway on, completion of, to provide for (Int. No. 956)	788
Onondaga, union school district No. 22 of the town of, to refund its bonded indebtedness (Int. No. 1286)	1452
	1860, 1869, 2007, 2686
Operators of steam boilers, machinery and elevators, relative to protection of life and property (Int. No. 289)	113
Orange county, clerk of, to make a salaried office of and regulate the management of, relative to (Int. No. 533) ..	268, 1474
Orange county, sheriff of, to make a salaried office of, and regulate the management of, relative to (Int. No. 676)	404

Orange county, system of county roads in, to provide for (Int. No. 1274).....	1451, 2258, 2823
Orangetown, union free school district No. 3 in town of, to incorporate (Rec. No. 331).....	2200, 2326, 2469, 2509
Oriskany creek feeder in town of Kirkland, walls and bed of, protection of, to provide for (Int. No. 605).....	311, 1242 1519, 1675, 1735, 1831, 2523
Orphan, abandoned and destitute children, to correct evils and abuses in placing out, relative to (Int. No. 759)...	488, 1031 1079, 1249, 1385, 1544, 1670
Osteopathy, regulating and legalizing the practice of, and fixing penalties for violation of (Int. No. 813).....	535
Oswego county, collection of, and sales for taxes in, relative to (Int. No. 753).....	455, 738, 806, 842, 844, 877, 1741
Oswego Starch Factory, to increase its capital stock, relative to (Rec. No. 19).....	291, 543, 589, 625
Oswego Water Works Company, to incorporate (Rec. No. 70).....	653, 795, 828, 951, 1064, 1132, 1372, 1493, 1688
Otsego lake, erection of a monument at the outlet of, rela- tive to (Int. No. 231).....	100
Otsego lake, erection of a monument at the outlet of, rela- tive to (Rec. No. 402).....	2711
Ovid and Romulus, new school building in district No. 5 of the towns of, to provide for (Int. No. 954).....	789, 1036 1080, 1129, 1231, 1329, 2827
Owners of bottles, boxes, siphons and kegs used in sale of soda and mineral waters, ale, beer, etc., to amend law, relative to protection of (Int. No. 820).....	584

P.

PAGE.

Papers, licentious, indecent and degrading, to prohibit and punish the publication of (Int. No. 321).....	122
Paris green, fraud in sale of, to prevent (Int. No. 257).....	109, 202
	242, 264, 309, 322, 1218, 1295
Parker, Joseph, committee clerk, appointment made by Mr. Speaker	57
Passengers on certain ferry companies, to provide for their safety and comfort (Int. No. 179).....	78, 927, 1205, 1296, 1301, 1399
Patent and Copyright Protection Association, to incorporate (Int. No. 1250).....	1450, 2254, 2821
Patent or proprietary medicine, sale of, relative to (Int. No. 1161).....	1148, 1477, 1712, 1855
Patterson, William, page, appointment made by the clerk.	58
Pawnbrokers, relative to (Int. No. 137).....	72
Pedic Society, to incorporate (Int. No. 510).....	249, 374, 481, 525
	528, 564, 635, 715, 959, 974, 1851, 2028
Peekskill, charter of village of, to amend (Int. No. 151).....	74
	378, 412, 446, 582, 591, 784
Peekskill, charter of village of, to amend (Int. No. 542)....	269
	378, 412, 447, 583, 591, 784
Penalties, to amend agricultural law, relative to (Int. No. 766).....	489, 1009, 1265, 1366, 1445, 1615
Penn Yan, annual school meetings in the village of, relative to (Rec. No. 165).....	1144, 2300
Penny, Fred, post-office messenger, appointment made by the Speaker	293
Personal property, association for lending money on, to incorporate (Int. No. 531).....	268, 685, 893, 952, 1347
Personal property, sale of, to satisfy liens, to amend lien law, relative to (Int. No. 1060).....	1026

Peters, William R., release to, certain lands, relative to (Int. No. 265).....	110
Peters, William R., release to, certain lands, relative to (Rec. No. 11)....	158, 541, 588, 627, 731, 853, 1214, 1863, 1896, 2595 2601, 2614, 2830
Petitions:	
Actors' Society of New York in favor of an act to punish frauds committed against actors.....	426
against Ellsworth 'anti-cartoon bill.....	530, 634, 674, 818
Anti-Treating Law, in favor of..	950, 1375, 1446, 1545, 1689 1744, 1856, 2887
citizens from Livingston county, asking for an amendment to the Game Law.....	108
Syracuse Chamber of Commerce in favor of monument for original promoters of the Erie canal.....	114
Women's Christian Temperance Union of Newburgh, in favor of passage of anti-treating law.....	243
Petrie, Frank N., financial clerk, appointment made by the clerk	58
Petroleum or gases, development of, to provide for (Int. No. 592)	295
Pharmacists and druggists, regulation of, relative to (Int. No. 306).....	120, 1175, 1371, 1522, 1675, 1735, 1917
Pierce, William H., to be admitted to practice as attorney at law of the Supreme Court, relative to (Int. No. 1324).....	1791
Piermont, removal of a portion of the dock or pier in the Hudson river at, to provide for (Rec. No. 118)..	1119, 1588, 1768, 1989
Pine Kill and Basha's Kill, to change channels of streams at the junction of, in the town of Mamakating (Int. No. 258).....	109, 1242, 1519, 1676, 1735, 1916, 2889

- Pittsford, bridge over the Erie canal at Main street in the village of, to provide for (Rec. No. 23.) (See Canals.)
- Pittsford, to incorporate the village of, completion of water works, relative to (Int. No. 461) . . . 209, 378, 412, 444, 448, 479
546, 594, 1217
- Plattsburgh, board of water commissioners for the village of, to provide for (Int. No. 1267) 1377
- Plattsburgh, poor of the town of, raising funds for relief of, relative to (Int. No. 786) 492
- Plattsburgh, poor in the town of, raising a fund for the relief of, relative to (Rec. No. 106) 947, 1166, 1342, 1429
- Point of order raised by:
- Mr. Armstrong, on bill Int. No. 524, relative to rail-roads 2616
Decision of Speaker. (See Speaker, decisions of.)
- Mr. Donnelly, on Senate bill Rec. No. 47, to amend the charter of the city of Syracuse 557, 559
Decision of Speaker. (See Speaker, decisions of.)
- Mr. Finn, on bill Int. No. 1081, relative to enrollment for primary elections 1908
Decision of Speaker. (See Speaker, decisions of.)
- Mr. Finn, on motion to suspend rules, relative to resolution censuring Senator Murphy 396
Decision of Speaker. (See Speaker, decisions of.)
- Mr. Green, on concurrent resolution, relative to biennial sessions of the Legislature 764
Decision of Speaker. (See Speaker, decisions of.)
- Mr. Green, on bill Int. No. 20, known as the Elmira Reformatory bill 912
Decision of Speaker. (See Speaker, decisions of.)

Point of order raised by—Continued:

PAGE.

Mr. Laimbeer, on bill Int. No. 524, relative to railroads. 2617

Decision of Speaker. (See Speaker, decisions of.)

Mr. McKeown, on bill Int. No. 52, to amend the charter
of New York city..... 897

Decision of Speaker. (See Speaker, decisions of.)

Mr. McKeown, that the rules having been suspended,
the House is now proceeding without any rules..... 781

Decision of Speaker. (See Speaker, decisions of.)

Mr. Nixon, on motion relative to debate on Cuban reso-
lutions 90

Decision of Speaker. (See Speaker, decisions of.)

Mr. Nixon, on motion to suspend rules, relative to reso-
lution censuring Senator Murphy..... 396

Decision of Speaker. (See Speaker, decisions of.)

Mr. Oliver, on motion to suspend rules, relative to reso-
lution censuring Senator Murphy..... 395

Decision of Speaker. (See Speaker, decisions of.)

Mr. Weekes, on resolution relative to Cuban affairs.. 89

Decision of Speaker. (See Speaker, decisions of.)

Poisonous articles, proper labeling of, to provide for (Int.
No. 807).....534, 794, 825, 905, 961, 1049Poisonous articles, proper labeling of, to provide for (Int.
No. 1078)...1029, 1477, 1720, 1747, 1842, 2030, 2596, 2602, 2624Poison to fruit trees while in blossom, to prevent (Int. No.
551).....270, 1009, 1062, 1130, 1230, 1283, 2519, 2688Poison to fruit trees while in blossom, to prevent (Rec. No.
168) 1144Police justice in the village of Chatham, relative to (Int.
No. 1323).....1745, 2321, 2466, 2479, 2687

- Pollock, Denny, committee clerk, appointment made by Mr. Speaker 57
- Poor in Fulton county, care and support of, relative to (Int. No. 138).....72, 516, 738, 806, 843, 960, 1047, 1441
- Poppenhusen, Conrad, to found an institution in the village of College Point (Int. No. 1134)...1126, 1317, 1371, 1535, 1636
2523, 2817, 2819
- Portageville, dam or reservoir at, construction of, and to incorporate the Genesee River Company (Rec. No. 272)... 1899
2043, 2595, 2602, 2621, 2830
- Port Chester, charter of village, to amend, powers of the board of trustees, relative to (Rec. No. 263).....1745, 2228
- Port Chester, village of, to incorporate (Rec. No. 380)... 2608
2696, 2705, 2756
- Port Chester, to incorporate the village of, powers of the board of trustees, relative to (Int. No. 1131)..1126, 1599, 1764
1841, 2031
- Port Jervis, normal and training school in village of, to establish (Int. No. 462)..... 210
- Portland, vote at annual town meeting in, for purchase of a soldiers' monument, to legalize (Int. No. 1023)...916, 1166
1334, 1366, 1367, 1372, 1499, 2025
- Poughkeepsie, certain property belonging to the city, to exempt from taxation (Int. No. 1244).....1449, 2276, 2689
- Poughkeepsie, charter of city, to amend (Int. No. 710) 407, 1155
1364, 1860, 1869, 2008, 2832
- Poughkeepsie, commissioners of the sinking fund of, to issue certain bonds (Int. No. 1362)..2198, 2529, 2533, 2560, 2833
- Powers' Library Association of the village of Moravia, relative to (Rec. No. 8).....157, 271, 317, 537, 1789

Pratts Landing, Lewis county, bridge over Black river at,
to provide for (Int. No. 376)..... 153

Prayer by Rev:

Battershall, Walton W..... 913

Brown, D. P.....649, 1022, 2328, 2700

Eastwood, T. M.....191, 1069

Elder, J. F..... 727

Enders, J. H..... 607

Fallon, Junius G..... 109

Giffen, John 223

Grieves, Thomas O..... 1745

Hallenbeck, Edwin Forest....7, 172, 287, 310, 451, 583, 785
846, 1096, 1302, 1791, 2195, 2601

Hardendorf, C. W..... 2040

Hegeman, A. Randolph B..... 208

Heindel, G. M.....93, 488, 1135, 1863

Hite, George E..... 1546

Johnson, A. T..... 1690

Johnson, Edward P..... 675

Karner, George M..... 99

Luckenbill, George C..... 427

Maguire, J. F..... 361

Mangan, Joseph H..... 246

Morris, Frank Richard..... 82

Murdock, Henry H.....293, 1355

Owen, Thomas Newton..... 152

Pogson, M. H., D. D..... 59

Potter, Henry Sterling..... 42

Rainey, F. G..... 1446

Prayer by Rev.—Continued:

PAGE.

Richmond, Alex.	2532
Rutan, Frederick N.	331, 2838
Sanderson, George	819
Smith, A. M.	1875
Stevens, C. P.	137
Stewart, R. E.	403
Van Doren, J. Howard.	266
Van Westenburg, J.	1235
Whitaker, William Force.	127
Young, Joseph H.	532
Premature burial, to prevent the occurrence of (Int. No. 1052)	1025
Priest, Lucy, widow of Charles N. Priest, to release to, certain real estate (Int. No. 594). .295, 1248, 1518, 1676, 1677, 1734	1827
Priest, Lucy, widow of Charles N. Priest, to release to, certain real estate (Rec. No. 342).	2201, 2698, 2706, 2783
Printing, concurrent resolutions for, passed by the Legislature of 1896 and 1897, to confirm (Int. No. 889). .677, 1590, 1763	1841, 2031, 2190, 2196, 2232
Printing in penal institutions, relative to (Int. No. 357). .138, 1262	1390, 1730, 1785, 1863, 1896, 1955, 2327, 2470
	2542, 2822
Printing, legislative, making an appropriation for deficiency in (Int. No. 884). .677, 993, 1061, 1125, 1859, 1868, 2001, 2523	
Printing, public or legislative, to define (Int. No. 883). .676, 1009	1063
Printing, to amend legislative law, relative to (Rec. No. 146). 1141	1245, 1519, 1524, 1539, 1758, 1809, 2028

Prison manufactures in public schools, to prevent the use of (Int. No. 706).....	407, 2037, 2085, 2160
Prisons, relative to (Int. No. 503).....	248
Private and civil investigations, offices for the hiring of persons engaged in, relative to (Int. No. 1235).....	1448
Privileges of the floor, extended to:	
Andrews, Hon. Harvey T.....	265
Austin, Hon. George C.....	108
Baker, Hon. E. C.....	1790
Barry, Hon. Thomas J.....	355
Bedell, Hon. Louis	582
Blaisdell, Hon. Heman	1235
Bowe, Hon. John	1014
Braun, Hon. Chas.	1545
Bridges, Hon. Nathan	1014
Brodsky, John E.....	908
Brundage, Hon. A. C.....	108
Burns, Hon. Thomas F.....	839
Coates, Hon. Joseph	582
Clark, Joseph	839
Clark, Wm. H.....	839
Clinton, Hon. George	1235
Coughlin, Hon. Cornelius	286, 674
Crane, Le Roy B.....	1446
Doherty, Hon. M.....	1375
Drypolcher, Hon. L.....	1375
Dunn, Thomas	839
Fiske, Hon. Mr.....	1545
Fitzgerald, T. D.....	839
Forrester, Hon. Orion L.....	355

Privileges of the floor, extended to—Continued:	PAGE.
Gerst, Hon. Phillip.....	1235
Gledhill, Hon. Wm. H.....	2838
Graves, Hon. Wm. B.....	2838
Gray, Hon. A. B.....	1375
Grout, Edward M.....	1446
Haff, Captain Hank.....	1446
Halpin, Hon. Wm.....	2838
Hobbie, Hon. Wm. R.....	286
Hodges, Hon. Alfred E.....	1092
Keenan, William M.....	131
Kneeland, Hon. Stillman F.....	727
Knight, Erastus	1235
Leonard, Hon. Wm. H.....	1301
Lodewick, Colonel	674
Lynde, Hon. D. S.....	1446
Mack, Hon. Norman E.....	1092
Malloy, H. A.....	839
McClelland, C. P.....	839
McDonough, Hon. J. P.....	839
McKnight, Hon. H. Stewart.....	206
McKnight, Hon. S.....	1375
Norton, Hon. John T.....	1235
Rice, Hon. Jacob.....	1126
Roehr, Hon. E. H. M.....	1235
Rounds, Hon. E. B.....	2838
Sheard, Hon. Titus.....	784
Sickles, Hon. Daniel E.....	784
Stern, Hon. Jacob.....	839
Sullivan, Hon. Jeremiah J.....	355, 2838

Privileges of the floor, extended to—Continued:

PAGE.

Taylor, Hon. Hubert.....	1092
Terry, Hon. Chas. W.....	1545
Tilton, Hon. R. J.....	1790
Tripp, Hon. James H.....	727
Utley, Councilman	839
Vacheron, Hon. Eugene F.....	839
Walsh, Hon. James J.....	1014
Webster, Hon. George P.....	1235
Weed, Hon. George L.....	674
Wilson, Hon. George W.....	1235
Whritner, Hon. Fred L.....	635
Wissig, Hon. Phillip.....	1092, 1126, 1235
Wyckoff, Hon. Jonathan.....	784
Zipp, Councilman	839

Property for burial purposes in cities and villages, rights of lot holders, relative to (Rec. No. 150) ..	1141, 2326, 2469, 2510
Property of Morris Goldstein, sold for taxes, application for redemption of, relative to (Int. No. 315) ..	1866, 2697, 2706 2777

Property, owners of, taken for a public use, damages in cer- tain cases for, relative to (Int. No. 874)	675
--	-----

Property, real, executors and trustees to acquire or ex- change lands for the the purpose of straightening or im- proving of (Int. No. 1254)	1377
--	------

Property, real, executors and trustees of, to acquire or ex- change lands for improving boundary lines of (Rec. No. 333)	2200, 2531, 2534, 2574
--	------------------------

Property, real, sales of, made to guardians in socage of in- fant parties to action (Rec. No. 308)	1865, 2034, 2082, 2252 2595, 2601, 2615
--	--

Property stolen in Chautauqua county, recovery of, relative to (Int. No. 141).....	72, 186, 203, 221, 223, 236,	488
Publication and distribution of Fisheries, Game and Forest Laws (Int. No. 333) ..	128, 200, 214, 261, 318, 356, 403, 423,	1737
		2028
Public accountants, profession of, to regulate (Int. No. 704).		407
Public accountants, profession of, to regulate (Rec. No. 87).		817
	1586, 1767, 1807, 1913, 2695, 2705,	2754
Public Buildings Law, to amend, construction of laundries in State buildings, relative to (Int. No. 220) ..	95, 185, 202,	221
	246, 251,	726
Public contracts, assignment and sub-letting of, to prohibit (Int. No. 579).....		293
Public exhibitions, payment of part of license fees for, to the Actors' Fund of America (Rec. No. 189)...	1378, 2039,	2086
		2169
Public Health Law, to amend, relative to:		
Auburn State Prison and certain counties (Int. No. 994)		847
cadavers, disposition of (Int. No. 850)...	609, 1176, 1341,	1368
		1785, 1951
examination, admission to (Int. No. 943).....		787
food, adulteration of (Int. No. 319)...	122, 379, 413, 445,	448
	479, 581, 715, 794, 959,	973
forbidding the sale of goods in second-hand packages (Int. No. 892).....		678
horses affected with glanders, appraisal of (Int. No. 1045).....	1024, 2037, 2084,	2155
medicine and dermatology, illegal practice of (Int. No. 1232) ..		1448
medicine, practice of (Int. No. 851).....		609

	PAGE.
Public Health Law, to amend, relative to—Continued:	
pharmacy (Int. No. 812)	535, 1478, 1720, 1731, 2189, 2192
	2197, 2241
pharmacy (Int. No. 980)	821
veterinarians' qualifications to practice (Int. No. 896) . .	678
veterinary medicine, practice of (Int. No. 295)	119, 793
	896, 957, 1134, 1279
Public improvements, discharge and priority of liens an	
account of, to amend lien law, relative to (Rec. No. 143) . .	1122
	1251, 1394, 1620
Public instruction, to amend law, relative to (Int. No. 897) . .	679
Public officers itemized and monthly accounts of, to amend	
law, relative to (Int. No. 660)	363
Public Office Law, to amend (Rec. No. 194)	1380, 1559, 1772
	1808, 2033, 2082, 2095, 2526
Public Officers Law, to amend (Int. No. 723)	452
Public works, foreman, inspectors and supervisors of, exami-	
nation of applicants, relative to (Int. No. 578)	293
Purity and sanctity of the home, to protect (Int. No. 23)	45
Putnam county, annual town meetings and elections, rela-	
tive to (Int. No. 42)	59, 259, 304, 530, 579, 601, 607, 625, 726
	962, 984, 2024
Putnam county, matters of taxation in, relative to (Int. No.	
1152)	1147, 1474, 1677, 1733, 1775, 2316
Pyrke, Harry E., stenographer, appointment made by Mr.	
Speaker	57

R.

Racing association, appropriation for moneys collected and	
due from, and promotion of agriculture (Int. No. 1272) . .	1451,
	1858, 1868, 1998, 2521

Railroads:

PAGE.

bridges, crossing of, to amend law, relative to (Int. No. 895).....	678, 1006, 1268, 1350, 1536, 1641, 2825
certain railroad corporations, for the relief of (Int. No. 1127)	1139, 1593, 1765, 1783, 1947, 2686
Construction and completion of, other than street surface roads, to extend time (Int. No. 1154).....	1303
corporate powers to cease, lease of road, etc., to amend law, relative to (Int. No. 698)....	406, 740, 896, 1018, 1230, 1282, 1487, 2024
elevated railways in certain cities, relative to the business of (Int. No. 169).....	77
employees, certain, of street railways, protection of, to amend law, relative to (Int. No. 916).....	729
extension of time for the performance of acts required by the article, to amend law, relative to (Int. No. 1294).	1690
family trip books, to compel the issuance of by certain railroads (Int. No. 808)....	535, 1008, 1063, 1084, 1091, 1200
freight and baggage, unclaimed, to amend law, relative to (Int. No. 1158).....	1140, 1593, 1765, 1843, 2031, 2226
freight rates, to prevent destruction in canal commerce, by prohibiting unjust discrimination in, (Int. No. 397).	156
grade crossings, to amend law, relative to (Rec. No. 90)	945, 2282
highway grade crossings, removing obstructions at, to amend law, relative to (Rec. No. 84).....	681
Hudson Tunnel Railway, time for completion of, to extend (Int. No. 1321).....	1693, 2191, 2197, 2240, 2828
in and near public parks in cities, relative to (Int. No. 754)	456

Railroads—Continued.

PAGE.

interest on deposits made with railroad corporations	
by employes, to amend law, relative to (Rec. No. 253),	1796
in the hands of receivers, to extend time for comple-	
tion of (Int. No. 395).....	156, 740, 808, 840, 845, 875, 2825
Law, to amend, certificates of public convenience and	
necessity, relative to (Int. No. 269)....	111, 374, 1267, 1349
	1535, 1640, 2828
law, to amend, fares and freight rates, relative to (Int.	
No. 234)	100
law, to amend, grade crossings, relative to (Int. No. 2)..	42
law, to amend, grade crossings, relative to, and making	
an appropriation therefor (Rec. No. 62)....	652, 2704, 2844
law, to amend, highway grade crossing, removing ob-	
structions at, relative to (Int. No. 267).....	110, 373
	411, 430, 1124, 1212, 1297, 1445, 1615
law, to amend, inter-locking switches and signal de-	
vices, relative to (Int. No. 270).....	111, 374
	740, 808, 842, 960, 1043, 2024
law, to amend, management of sleeping cars, relative	
to (Int. No. 309).....	121
law, to amend, powers of electric light and power cor-	
porations (Rec. No. 72).....	653, 794, 827, 908
	951, 1124, 1212, 1332, 1355, 1374, 1436
law, to amend, powers of railroad corporations, relative	
to (Rec. No. 51).....	492, 753, 809, 823, 884, 980
law, to amend, rate of fare, relative to (Int. No. 539)....	269
law, to amend, relative to better protection of railway	
employes and others (Rec. No. 392).....	2609, 2853

Railroads—Continued.

PAGE.

law, to amend, relative to motive power (Int. No. 1365), 2198
2691, 2701

law, to amend, relative to substituted lines in cases of
eminent domain (Rec. No. 359).....2539, 2596, 2602, 2627

law, to amend, seating passengers in street railroad,
relative to (Int. No. 399)..... 156

law, to amend, street surface roads, running of cars for
less than the whole of any one line, relative to (Int.
No. 763)..... 489

law, to amend, tools in cars, location of, relative to (Int.
No. 268).....110, 373, 411, 447, 582, 590, 611, 1007

law, to amend, tools in cars, location of, relative to (Rec.
No. 123).....1120, 2325, 2468, 2503

Little Falls, Van Hornesville and Otsego Lake Narrow
Gauge Railroad Company, to extend time for con-
struction of its road (Int. No. 869).....650, 1008, 1062
1072, 1129, 1230, 1284, 2825

Long Island Railroad Company, rate of fare on rail-
roads owned or operated by, to amend law, relative to
(Int. No. 918)..... 720

lost property found in street surface railroad cars, sale
of and disposition of the proceeds, relative to (Int. No.
1332) 1792

lost property, found in street surface railroad cars, sale
of and disposition of the proceeds, relative to (Rec.
No. 403)..... 2711

mileage books, issue of, by railroad corporations, rela-
tive to (Int. No. 127)..... 70

mileage books, issue of, by railroad corporations, rela-
tive to (Int. No. 222)..... 96

Railroads—Continued.

PAGE.

mileage books, issue of, by railroad corporations, relative to (Int. No. 334).....	123
mileage books, issue of, by railroad corporations, relative to (Int. No. 441).....	192
mileage books, issue of, by railroad corporations, relative to, and charge for such books (Int. No. 538).....	268
mileage books, issue of, sale and use of, by railroad corporations, relative to (Int. No. 729).....	452
mileage books, issue of, by railroad corporations, relative to (Int. 946).....	787, 2697, 2706, 2864
mileage books, issue of, by railroad corporations, relative to (Rec. No. 344).....	2201, 2596, 2602
motive power of certain railways in and near public parks, change of, to provide for (Rec. No. 372).....	2606, 2847
municipal ownership of street, surface, underground or elevated railroads in cities of the first class, relative to (Int. No. 735).....	453
paving and repairing a portion of streets or avenues along the line of street surface roads (Int. No. 1026).....	916
protection of certain employes of street surface railroads, to amend law, relative to (Int. No. 1341).....	1794
railroad commissioners of the town of Liberty, to issue bonds to retire outstanding bonds as they may become due (Int. No. 1068).....	1027, 1257, 1392, 1442, 1537, 1708
rapid transit railways in cities of over 1,000,000 inhabitants, to provide for (Int. No. 1291).....	1453
rates of fare on railroads in cities of the first class, to amend law, relative to (Int. No. 937).....	786, 1007
repairs of streets, rate of speed, etc., to amend law, relative to (Int. 817).....	583

Railroads—Continued.

PAGE.

Rhinebeck and Rhinecliff Street Surface Railroad Com- pany, to extend time for completion of (Int. No. 868),	650
1258, 1392, 1529, 1848, 2111,	2828
right to cross bridge, to amend law, relative to (Int. No. 818)	583
safety fenders on cars propelled by electricity or cable, to provide for the use of (Int. No. 688).....	365, 1258
1392, 1530, 1538,	1748
salt and sand, use of, on street surface roads, to amend law, relative to (Int. No. 524).....	267, 795, 973, 1351
1535, 1635, 1790, 1838, 2191, 2196, 2528, 2595, 2602,	2616
Saratoga, St. Lawrence and Extension Railroad Com- pany, to extend the time for completion of (Int. No. 505).....	248, 373, 412, 444, 448, 477, 1134
street surface, enclosed vestibule for motormen on, rela- tive to (Int. No. 638).....	335
street surface railroads overcoming an elevation, in villages or cities of the third class, rate of fare on, to regulate (Rec. No. 212).....	1454, 1593, 1768, 1837
street surface railway corporations in cities, payment of percentages by, to amend law, relative to (Int. No. 888).....	677, 1006, 1063, 1092, 1213, 2825
surface railroads, to amend law, relative to (Int. No. 992)	847
time of existence, to amend law, relative to (Int. No. 1180).....	1305, 1593, 1765, 1846, 2032, 2191, 2196, 2236
transfer of tickets, relative to (Int. No. 523).....	267, 796
1522, 1687, 1727, 1783, 2030, 2221,	2823

Railroads—Continued.

PAGE.

transportation to certain public officers, by certain corporations, relative to (Int. No. 507).....	248, 373, 411
tunnels, to amend law, relative to (No. 1241).....	1449
Real estate of the House of the Good Shepherd, to exempt from taxation (Rec. No. 156).....	1142, 1469, 1724, 1936
Real estate of the Missionary Society of the Most Holy Redeemer, assessment made on, to release (Int. No. 1015)..	915
	2260, 2825
Real estate of the National Academy of Design, to exempt from taxation (Int. No. 1107).....	1136
Real Property Law, to amend, acknowledgment and proof of conveyances (Rec. No. 149).....	1141
Real Property Law, to amend, dower of widow, relative to (Int. No. 32)....	46, 685, 777, 1019, 1093, 1125, 1208, 1265, 1359
Real Property Law, to amend, relative to forms of conveyances (Rec. No. 398).....	2711, 2860
Real Property Law, to amend, relative to recording of conveyances (Rec. No. 371).....	2606
Receivers of corporations appointed by a judgment or order to sell property at private sale, relative to (Rec. No. 260).	1797
	2529, 2533, 2563
Redfield, G. S., messenger to committee, appointment made by the clerk.....	58
Religious Corporation Law, to amend (Int. No. 940)....	787, 1173
	1339, 1444, 1847, 2107, 2826
Religious Corporation Law, to amend (Rec. No. 361).....	2539
	2598, 2599, 2604, 2649
Religious corporations to establish and maintain a home for their aged poor (Int. No. 978).....	821, 1036, 1082, 1131, 1444
	1612, 2827

Rensselaer, certain lands in city, to authorize the use of for park purposes (Int. No. 1311).....	1693, 1859, 1869, 2178, 2527
Rensselaer county, Agricultural and Liberal Arts Society of, to change the name of (Int. No. 1146).....	1139
Rensselaer county, Agricultural and Liberal Arts Society of, to change the name of (Int. No. 1202).....	1307, 1561, 1759 1840, 2030, 2223
Rensselaer county, board of supervisors of to make an an- nual appropriation for the benefit of the Mohawk River Humane Society (Int. No. 1028)....	950, 1150, 1338, 1366, 1373 1504, 2023
Rensselaer county, board of supervisors of to make an an- nual appropriation for the benefit of the Mohawk and Hudson River Humane Society (Rec. No. 196).....	1380
Rensselaer county, coroners in, election and compensation of, to provide for (Int. No. 830)....	585, 739, 808, 840, 960 1046, 2026
Rensselaer county, creating a county contracting board and defining its powers and duties (Rec. No. 228).....	1550
Rensselaer Polytechnic Institute, to regulate terms of ad- mission and grant degrees, relative to (Int. No. 1318)....	1547 1861, 1870, 2181
Rensselaer Polytechnic Institute, to regulate terms of ad- mission and grant degrees, relative to (Rec. No. 340)....	2201 2321, 2465, 2474
Rensselaer, to incorporate the city of (Int. No. 1100).....	1095 1464, 2120, 2527
Report of:	
Adjutant-General	80
Agriculture Commissioner	80

Report of—Continued:

PAGE.

American Society for the Prevention of Cruelty to Animals	2594
Berkshire Industrial Farm.....	48
board of managers of the State Industrial School at Rochester	2819
Bureau of Labor Statistics.....	587
Central New York Institution for Deaf-Mutes at Rome, N. Y.....	49
Commissioners of Fisheries, Game and Forests.....	114
Commissioner of Pilots.....	80
Commissioners of Quarantine.....	190
Commissioners of Statutory Revision.....	2320
Commissioners of the Land Office.....	190
Commissioners of the State Reservation at Niagara...	140
Commission representing the State of New York at the Tennessee Centennial	2820
Comptroller, annual financial report, relative to canals.	266
Comptroller, on expenditures on canals.....	265
Conrad Poppenhusen Association of College Point....	172
Cooper Union for the Advancement of Science and Art.	114
Eastern New York Reformatory.....	426
Excise Commissioner	82
Factory Inspector	131
Health officer of the port of New York.....	2820
Inebriates Home, Fort Hamilton, N. Y.....	361
Institution for the Improved Instruction of Deaf-Mutes.	48
Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf-Mutes at Buffalo.....	2320
New York Agricultural Experiment Station.....	1545

Report of—Continued:

PAGE.

New York Catholic Protectory.....	783
New York Civil Service Commission.....	2690
New York Commission to the Negro Department of the Tennessee Centennial Exposition of 1897.....	2690
New York Institution for the Blind.....	76
New York Institute for the Blind.....	82
New York Institution for the Instruction of the Deaf and Dumb	48
New York Juvenile Asylum.....	634
New York Society for the Prevention of Cruelty to Children	93
New York State Agricultural Society.....	2033
New York State Home for Aged and Dependent Veter- ans	48
New York State Reformatory.....	76
New York State School for the Blind.....	140
New York State Veterinary College.....	114
New York State Woman's Relief Corps Home.....	80
Northern New York Institution for Deaf-Mutes.....	950
Protection of Destitute Roman Catholic Children of Buffalo	309
St. Joseph's Institute for the Instruction of Deaf-Mutes.	49
St. Thomas Asylum.....	48
special committee appointed to investigate the Forest Preserves	2886
State Board of Health.....	530
State Board of Pharmacy.....	80
State Commission in Lunacy.....	2886
State Commission of Prisons.....	114

Report of—Continued:

PAGE.

State Comptroller	82
State Custodial Asylum for Feeble-Minded Women....	429
State Engineer and Surveyor.....	310
State Geologist	2320
State Historian	1374
State Racing Commission	2819
Superintendent of Banks	41
Superintendent of Banks	839
Superintendent of Banks, relative to building and loan co-operative savings and loan associations.....	849
Superintendent of Banks, relative to mortgage, loan and investment companies.....	849
Superintendent of Insurance	634
Superintendent of Public Instruction.....	2594
Superintendent of Public Works, on canals.....	530
Superintendent of the Onondaga Salt Springs.....	82
Syracuse State Institution for Feeble-Minded Children.	48
Trustees of Scenic and Historical Places and Objects..	1790
Trustees of the Sailors' Snug Harbor.....	1790
Trustees of the Wadsworth Library at Geneseo, N. Y..	114
Volunteer Life-saving Corps of the State of New York.	140
Western House of Refuge for Women.....	286
Wyoming Benevolent Institution	49

Resolutions:

against the repeal of the Barbers' Sunday Closing Law.	286
amending Rule 26.....	86
appointment of a committee to prepare suitable resolu- tions to the memory of the late Joseph Mullin..	134, 212

Resolutions—Continued:

PAGE.

appointment of a committee to investigate the Forest Preserve	2875
appointment of a committee to investigate State prisons	2877
appointment of a committee to investigate the contract system and the advisability of substituting day labor system	133, 1238
appointment of a committee to investigate the workings of the charter of New York city.....	2879
appointment of a committee to notify the Governor of readiness to adjourn sine die.....	2889
appointment of a committee to notify the Senate of readiness to adjourn sine die.....	2890
Assembly library to be kept open all the year.....	2881
Battleship Maine, sympathy extended to the families of heroes, who met death on.....	635
canal investigation, relative to appointment of a commission	218
clerk of Assembly, directed to have all committee notices posted on bulletins	85
clerk of Assembly, to arrange seats for members of the press	16
clerk of Assembly, to invite clergymen to open the daily sessions with prayer	16
clerk of Assembly, to make contracts with the postmaster and express companies.....	16
colony for consumptives in the Adirondacks, advisability of establishing	308

Resolutions—Continued:

PAGE.

commissioners of buildings, lighting and supplies of New York city, report to the Assembly, relative to..	132
	220
committee on privileges and elections to give hearings in the contested seat cases.....	98
committee on Soldiers and Sailors' Home, to visit the Soldiers' Home at Bath.....	442
Comptroller to furnish statement of amounts paid to State printers for years 1896 and 1897.....	217
electing a State Superintendent of Public Instruction..	353
excise charges, system of taxation relative to....	307, 443
hours of daily meeting of the Assembly.....	58
Irish home-rule cause.....	2881
Lawrence, Anderson D., be directed to remain thirty days after the adjournment.....	2881
Main and Hamburg canal, number of acres and price per acre, relative to.....	443
members have the right to speak on any subject no more than ten minutes.....	839, 1013
on the death of Hon. Joseph Mullin.....	636, 640, 648
on the death of Hon. Thomas Smith, Member of Assem- bly	450
opinion of Colonel Roche, on appropriate expression of patriotism	2880
postal service in New York city, relative to.....	217
print 1,000 extra copies of Assembly bill Int. No. 36, relative to elections.....	93, 168
print 1,000 extra copies of Assembly bill Int. No. 66, relative to elections.....	76, 80

Resolutions—Continued:

PAGE.

print 1,000 extra copies of Assembly bill Int. No. 145, relative to town meetings and election of town offi- cers.	190,	261
rules, adopting of.		13
rules, suspension of.		763
seats, drawing of.		37
seats, for committee to prepare ballots for drawing of.		17
seats, to allow certain members to select.		37
sergeant-at-arms, duties of, during recess, relative to..	2880	
Speaker appoint a committee of five to investigate charges against the Elmira Reformatory.		309
Speaker appoint a committee of five to investigate charges preferred against the Northern New York Institute for Deaf-Mutes.		309
Speaker to appoint a committee of five to investigate the book trust.		635
Speaker to appoint a committee of five to investigate title and guarantee companies.		636
Smith, Ella, to draw salary of the late Thomas Smith for the year 1898.		2535
statutes and codes, to provide the Assembly library with		86
Superintendent of Banks, report to the Assembly, rela- tive to	132, 218	262
suspending rules 3, 17, 35 and 52 for purpose of consid- ering resolution in reference to Senator Murphy. . . .		394
ways and means committee be discharged from further consideration of Assembly bill No. 59.		108

Resolutions, concurrent:

PAGE.

adjournment on March 25th without date...	1446, 1849, 1855
adjournment, relating to January 12th.....	16, 37
appointment of a joint committee to investigate the several departments during recess.....	2876
censuring Senator Murphy, Jr., for his action in the United States Senate.....	216, 307, 394, 395, 487
clerk of Assembly supply each member with bound copy of the Civil and Criminal Codes.....	117
Cuban affairs, relative to.....	87, 134
Cuban affairs, relative to.....	92, 134
Cuban affairs, relative to, substitute.....	134, 212
dredge and deepen the channels in New York harbor..	227
foreign services of the United States, urging representa- tives in Congress to pass bill, relative to.....	2536, 2814
Legislature meet in joint session for election of Superin- tendent of Public Instruction.....	325
Palisades of the Hudson, urging representatives in Con- gress to pass bill, relative to	325, 355
payment of bounty to certain New York State Volun- teer militia who served in the war of the rebellion urging representatives in Congress to pass bill, rela- tive to	2589
Pan-American exposition, relative to..	1358, 1442, 2536, 2816
print 3,200 additional copies of the third annual report of the State Historian	2813
print 5,000 copies of memorial proceedings on death of Hon. Joseph Mullen	2591, 2634
print 3,000 copies of the primary bill (No. 1878), in German	2315, 2636, 2889

Resolutions, concurrent—Continued:

PAGE.

print 10,000 copies of the report of the New York State Agricultural Society for the year 1897.....	2315, 2637
print 2,500 copies of the Governor's message in German	134, 1010
print 15,000 extra copies of the New York State Agricultural report for 1897, bound in cloth.....	1014
print 15,000 extra copies of the primary bill (No. 1878)..	2315
	2635
print 3,500 copies of report of the State Commissioner of Excise	190, 761, 950
proposing an amendment to article 6 of the Constitution by adding a new section 24, relative to appointment of trial justices of the Supreme Court in the first judicial district (Int. No. 1316).....	1547
proposing an amendment to article 6 of the Constitution providing for additional justices of the Supreme Court in the second judicial district (Int. No. 1128)..	1139
proposing an amendment to article 6, section 7 of the Constitution, relative to Court of Appeals (Rec.No. 349)	2537, 2599, 2604, 2652
proposing an amendment to section 1 to article 10 of the Constitution, relative to terms of office of sheriffs, clerks of counties, district attorneys and registers (Int. No. 779).....	491
proposing an amendment to section 1, article 2 of the Constitution, relative to qualification of voters (Int. No. 181)	79
proposing an amendment to sections 2, 3 and 6 of the Constitution, relative to biennial sessions of the Legislature (Int. No. 300).....	119, 425, 482, 493, 716, 763, 771

Resolutions, concurrent—Continued:

PAGE.

proposing an amendment to sections 2, 3, 6 and 22 of the Constitution, relative to biennial sessions of the Legislature (Rec. No. 73).....	679, 716, 763, 771, 951,	977
proposing an amendment to section 2 of article 3 of the Constitution, relative to term of office of members of Assembly (Int. No. 777).....		490
proposing an amendment to section 2 of article 6 of the Constitution (Rec. No. 63).....	652, 2037, 2084,	2156
proposing an amendment to section 4 of article 6 of the Constitution, relative to commencement of term of office of Justices of the Supreme Court (Int. No. 778.)		491
proposing an amendment to section 7 of article 6 of the Constitution, relative to commencement of term of office of Judges of Court of Appeals (Int. No. 776)...		490
proposing an amendment to section 8 of the Constitution (Int. No. 304).....	120, 2042,	2252
wills, revision of the law concerning.....		308
Revised Statutes, to amend, drainage of swamps, marshes and other low lands, relative to (Int. No. 665)...	363, 1484,	2121
Revised Statutes, to amend, exemption from taxation of money loaned on mortgage, relative to (Int. No. 194)....		83
Revised Statutes, to amend, interest of money, relative to (Int. No. 359).....		138
Revised Statutes, to amend, lapse of a devise or legacy, relative to (Int. No. 967).....	820, 1034, 1082, 1128, 1231,	1331
Revised Statutes, to amend, relative to, of the interest of money (Int. No. 63).....	62,	351
Revised Statutes, to amend, relative to the interest of money (Int. No. 80).....		64

Revised Statutes, to amend, State prisons, and for other purposes connected therewith, relative to (Int. No. 990).....	846
Reynolds, S. J. W., assistant clerk to committee on engrossed bills, appointment made by the clerk.....	58
Richland, Daysville Cemetery Association in town of, to incorporate (Int. No. 467).210, 1247, 1385, 1526, 1536, 1648, 2521	
Richmond, Honeoye outlet in the town of, deepening and improving the channel of, to provide for (Int. No. 837)...	586
Rifle range at Creedmoor, purchase of land for extension of, relative to (Int. No. 1165).....	1148
Rifles, purchase of, for use of State Military forces, to provide for (Int. No. 1363).....	2198
Roberts, A. B., page, appointment made by the clerk.....	58
Rochester:	
armory in, city of, to exchange site, with the State, relative to (Rec. No. 25).....	312, 1154, 1343, 1432
assessors, board of, in city of, assessment-roll for the extension of Harvard street, relative to (Int.No. 221).	95
certain firemen in city of, for the relief of (Int. No. 1336)	1793
certain firemen in city of, for the relief of (Rec. No. 337)	2201, 2517
charter of city of, to amend (Int. No. 865)...650, 1151, 1334	
1678, 1785, 1862, 1870, 1950, 2774, 2834	
charter of city, to amend (Rec. No. 116)....1119, 1316, 1409	
1628	
charter of city, to amend (Rec. No. 117)....1119, 1316, 1408	
1627	
charter of city of, to amend, local improvements, bonds and assessments, relative to (Int. No. 96).....	66

Rochester—Continued:

PAGE.

charter of city of, to amend, local improvements, bonds and assessments, relative to (Rec. No. 15) ..	226, 338, 389 424
charter of city, to amend, teachers training classes, relative to (Int. No. 186)	79, 599, 672, 908, 943, 1067
Children's Aid Society of, to incorporate (Rec. No. 26) ..	312
1154, 1343, 1433, 1674, 1862, 1870, 2029, 2035, 2083, 2177	2526
Christian Brothers' School Society of, to confirm the election of trustees of (Rec. No. 407) ..	2690, 2700, 2701, 2713
commissioner of sewerage, certain powers of, to trans- fer to the treasurer of city (Int. No. 187) ..	80, 350, 389, 400 427, 435, 2026, 2689
commissioners of the land office to grant right of way for sewer, through State lands, to State Industrial school in city of (Int. No. 689) ..	405, 482, 493, 525, 528, 552 910, 1234
Lutheran League of, corporate name of, to change (Int. No. 912)	728
Lutheran League of, corporate name of, to change (Rec. No. 34)	337, 708, 781, 868
Orphan Asylum, to incorporate (Int. No. 227) ..	96, 125, 130 170, 222, 232, 292
public school building in, erection of, to provide for (Rec. No. 193)	1379, 2882
public school teachers' retirement fund in, to create (Int. No. 1104)	1135
public school teachers' retirement fund in, to create (Rec. No. 120)	1120, 1468

Rochester—Continued:

PAGE.

Rochester and Charlotte Turnpike Road Company, to incorporate, and to regulate the tolls, relative to bicycles (Int. No. 877)....	676, 736, 805, 841, 909, 972, 1740
State Industrial School at, to amend State Charities Law, appointment of managers, relative to (Int. No. 1002).....	848, 1030, 1078, 1129, 1232, 1321, 2522
taxes and assessments levied by city of, to legalize and confirm (Int. No. 674)....	404, 1158, 1515, 1677, 1736, 1862 1870, 1924, 2833
trunk sewer on the east side of the Genesee river in, to provide for (Int. No. 663)....	363, 694, 776, 813, 960. 1040 1440, 2690
water supply of city of, sanitary protection of, relative to (Int. No. 530).....	267
water supply of city of, sanitary protection of the sources of, relative to (Int. No. 701).....	406
Rockland, appointment of assistant district attorney for the county of (Int. No. 598).....	310
Rockland county, Minisceongo creek in, repairing draw bridge over, to provide for (Int. No. 600).....	310, 1555, 2132, 2827
Rolf, William, messenger to committee, appointment made by the clerk.....	58
Rome Custodial Asylum, changing the location of the highways passing over the lands of, to provide for (Int. No. 1277).....	1451
Rome, new iron bridge over the Erie canal at St. George street in the city of, to provide for (Int. No. 83). (See Canals).	
Rome, payment of taxes in city of, to provide for (Int. No. 1262).....	1376, 1861, 1870, 2013

Rome State Custodial Asylum, improvement of, to provide for (Int. No. 303)....	120, 992, 1267, 1349, 1353, 1416, 2808, 2888
Rome Water Power Company, to incorporate (Int. No. 1143)	1128
	2321, 2466, 2478
Romulus and Ovid, new school building in district No. 5 of the towns of, to provide for (Int. No. 954)....	789, 1036, 1080
	1129, 1231, 1329, 2827
Romulus, certain land in town of, seized by Sarah Folac (died), releasing to George W. Church, as overseer of the poor (Int. No. 995).....	847, 2265, 2821
Rosenthal, William H., committee clerk, appointment made by Mr. Speaker.....	57
Ross, John, committee clerk, appointment made by Mr. Speaker	57
Ross, William A., page, appointment made by the clerk....	58
Round Island Company, corporation to appoint one or more special policemen (Rec. No. 266).....	1798, 2323, 2467, 2496
Round Island Company, to appoint one or more special policemen (Int. No. 1220).....	1357
Round Lake outlet in Saratoga county, deepening of, to provide for (Int. No. 879).....	676
Rumsey, Edward M., second assistant index clerk, appointment made by the clerk.....	58
Ryerson, James A., janitor, appointment made by Mr. Speaker	57
S.	
Safes, to amend law relative to (Int. No. 363).....	139
Sag Harbor, charter of village of, to amend, water-works and sewer system, relative to (Int. No. 999)....	848, 1252, 1389
	1525, 1539, 1663, 2889

St. Johnsville, to borrow money for completing its water supply system (Rec. No. 82).....	681, 1002, 1063, 1110
Salt Springs, to amend law relative to (Rec. No. 71)..<	653, 672
	710
Sanctity and purity of the home, to protect (Int. No. 23)...	45
Sandy Hill, bridge over the Glens Falls feeder on Main street, in the village of, to provide for (Int. No. 311). (See Canals.)	
Sanger, Hon. Wm. Cary, communication from, relative to battle flags	140
Sanitary inspection of barber shops, to provide for (Int. No. 375)	153, 686
Sanitary inspection of barber shops, to provide for (Int. No. 425)	176
Saranac lake, dam across Saranac river at, building of, to provide for (Int. No. 1203)...	1308, 1553, 1761, 1840, 2030, 2036
	2084, 2214, 2826
Saratoga county, annual town meetings and elections in, relative to (Int. No. 1065)....	1027, 1253, 1389, 1525, 1539, 1665
Saratoga county, office of county clerk, to make salaried, relative to (Int. No. 500).....	247, 371, 410, 527, 674, 711, 910
Saratoga county, office of county clerk, to make salaried, relative to (Rec. No. 77).....	680
Saratoga county, office of sheriff, to make salaried, relative to (Int. No. 501).....	247, 370, 410, 445, 449, 465, 818
Saratoga county, Round lake outlet in, deepening of, to provide for (Int. No. 879).....	676
Saratoga Springs, charter of village, to amend, trustees to raise money for certain purposes, relative to (Rec. No. 276).....	1798, 2324, 2468, 2501

Saugerties, election of a police justice in the town of, relative to (Rec. No. 198).....	1381, 1696, 1774, 1991
Saunders, B. F., assistant superintendent of documents, appointment made by the clerk.....	58
Scenic and historic places and objects, to incorporate the trustees of (Rec. No. 201).....	1381, 1587, 1766, 1986
Schenectady:	
bonds, issue of, by the city, for school purposes (Rec. No. 322).....	2199, 2694, 2704, 2742
charter of city of, to amend (Int. No. 130) ..	71, 256, 318, 401
	528, 548, 1135, 1689
charter of city of, to amend, relative to firemen (Int. No. 155).....	74, 165, 184, 207, 265, 296, 1135, 1688
charter of city, to amend, relative to police force (Int. No. 938).....	786, 1462, 1721, 1782, 1848, 2116, 2837
charter of city, to amend, water loan, relative to (Int. No. 1183).....	1305, 1801, 2216
notes for payment of certain indebtedness, to issue (Int. No. 582).....	294, 630, 671, 721, 782, 834, 1135, 1689
public street in, to lay out, grade and improve (Int. No. 156).....	74, 792, 825, 1014, 1069, 1099, 1229, 1689
sewer loan in, to increase (Int. No. 157) ..	75, 199, 215, 245
	293, 319, 1135, 1688
water loan in city of, relative to (Int. No. 158) ..	75, 198, 215
	243, 309, 320, 1135, 1688
water loan in city of, relative to (Rec. No. 239)	1795, 2862
School commissioner districts in Dutchess county, to divide (Int. No. 878).....	676, 1036, 1080, 1129, 1231, 1328, 2024

School commissioner districts in Broome county, to change the boundaries (Int. No. 966).....	820, 1035, 1080, 1130, 1232 1327, 2025
Schoolhouses and other public buildings, proper sanitation and protection from fire of, relative to (Int. No. 271)....	111 502, 576
Schoolhouses and other public buildings, proper sanitation and ventilation of, relative to (Rec. No. 174).....	1146
School taxes in the city of Kingston, collection of, to provide for (Rec. No. 31).....	337, 692, 780, 865
School text-books, degree of uniformity and reasonable prices, to provide for (Int. No. 1193).....	1307
Schuyler county, real and personal property in, imposing a tax upon (Int. No. 100).....	67, 367, 411, 444, 448, 473, 1740
Seats, notice of contest for.....	41
Secretary of State:	
information for general welfare, relative to public debt, to ascertain (Int. No. 1249).....	1450
list of members of Assembly presented by.....	3
Security Assurance Co., to incorporate (Rec. No. 420)..<	2713, 2856
Senate:	
committee on the part of.....	17, 353, 2890
conference committee on appropriation bill, relative to.	1690 2680
Seneca county, Ovid and Romulus in, new school building in district No. 5 of the towns of, to provide for (Int. No. 954)	789, 1036, 1080, 1129, 1231, 1329, 2827
Seneca Falls, bridge and approaches in village of, construction of, to provide for (Int. No. 1215).....	1356, 2255, 2823
Seymour, A. M., assistant doorkeeper, appointment made by Mr. Speaker	57

Shaw, Charles D., application of, for cancellation of tax sale, relative to (Rec. No. 373).....	2606, 2693, 2703, 2732
Shaw, Charles D., Comptroller to hear and determine the application for cancellation of tax sale (Int. No. 1328)....	1791
Sheldon, Frank N., employment of counsel to assist district attorney of Cayuga county in trial of, relative to (Rec. No. 7)	157, 1032, 1269, 1349, 1353, 1425, 1742
Sheriff of Chemung county, to make the office salaried and regulate certain fees (Int. No. 440)..	192, 260, 304, 329, 402, 413
Sheriff of Chenango county, to make the office salaried and regulate the management (Int. No. 838)..	586, 1167, 1514, 1678 1735, 1922, 2522
Sheriff of Montgomery county, to make a salaried office of (Int. No. 640).....	335, 515, 578, 604, 607, 624, 818
Sheriff of Oneida county, to make the office salaried (Int. No. 152).....	74, 1254, 1472, 1711, 1729, 1786, 1962, 2523
Shutts, Byron P., mail and document carrier, appointment made by the clerk.....	58
Signs on buildings and fences for advertising purposes in cities of the first and second class, to regulate the erection of (Int. No. 690).....	405
Sing Sing prison, further improvements of, to provide for (Rec. No. 240).....	1795, 2301
Sing Sing prison, improvements of, to provide for (Int. No. 150)	74
Sisters of the Poor of St. Francis, to exempt the real estate of, from taxation, assessments and water rates (Int. No. 1041)	1024, 2261, 2836
Sisters of the Poor of St. Francis, to release from assessments heretofore made on real estate of (Int. No. 1042)..	1024

Sitter, Benjamin, late commissioner of the town of Austerlitz, to legalize the accounts of (Int. No. 355)....	138, 927, 1206 1296, 1301, 1400, 2824
Sitter, Benjamin, late commissioner of the town of Austerlitz, to legalize the accounts of (Rec. No. 248).....	1796
Size of certain fruit packages, to define (Int. No. 947).....	787
Skinner, Charles R., Superintendent of Public Instruction, election of	355
Smith, Benjamin V., assistant librarian, appointment made by the clerk	58
Smith, C. M., deputy clerk, appointment made by the clerk..	57
Smith, Ernest, committee clerk, appointment made by Mr. Speaker	57
Smith, Ray B., assistant clerk, appointment made by the clerk	57
Smith, Sandford W., assistant journal clerk, appointment made by the clerk.....	57
Smith, Wesley, page, appointment made by the clerk.....	58
Smock, Annie Grace, adoption of, to legalize (Int. No. 569)..	290 735, 895, 955, 1069, 1101, 2829
Soldiers' monument in the town of Manlius, location of, to change (Int. No. 1019)....	915, 1165, 1338, 1366, 1373, 1503, 2316
Soldiers, sailors and marines, honorably discharged, burial of and headstone, to provide for (Rec. No. 53).....	492, 1168 1517, 1686, 2189, 2192, 2197, 2243, 2688
Soldiers, sailors and marines, honorably discharged, issue of licenses to, for hawking, peddling and vending of merchandise (Rec. No. 133).....	1121, 1484, 1723, 1933
Soldiers, sailors and marines indigent, and families of those deceased, to provide for relief of (Int. No. 695)..	406, 1152 1336, 1366, 1373, 1507, 2521, 2681

Soldiers, sailors and marines, indigent, resident in cities of the first class, relative to (Rec. No. 350).....	2538, 2599, 2604, 2650
Solvay, sewer bonds, issue and sale of, in village of, relative to (Int. No. 552).....	270, 515, 573, 604, 606, 614
Solvay, sewer bonds, issue and sale of, in the village of, rela- tive to (Rec. No. 79).....	680, 1252, 1394, 1623
Southampton, Shinnecock bay in town of, deepening and widening the channel, relative to (Int. No. 272).....	111, 991 1267, 1349, 1353, 1417, 2825
Southold, Suffolk county, creating certain additional officers in the town of, relative to (Int. No. 950).....	788, 998, 1168 1299, 1352, 1364, 1785, 1948, 2827
Southold, Suffolk county, six assessors for the town of, to elect, relative to (Int. No. 829).....	585, 927, 1055 1088, 1091, 1191, 1854
Speaker:	
accepting the gavel of the late Thomas G. Alvord.....	92
appointment of a committee of conference on appro- priation bill.....	1542, 2680
appointment of a committee of conference on bill (No. 154) to amend the Code of Civil Procedure.....	1852
appointment of committee to attend the funeral of the late Hon. Thomas Smith.....	487
appointment of a committee to notify the Governor of readiness to adjourn sine die.....	2889
appointment of a committee to notify the Senate of readiness to adjourn sine die.....	2890
appointment of committee to wait upon the Governor..	15
appointment of committee to wait upon the Senate..	15, 353
[ASSEM. JOURNAL.]	384

Speaker — Continued:

PAGE.

appointment of standing committees.....	50
appointment of Mr. Weill to the committee on banks in place of Mr. T. Smith, deceased.....	908
appointment of special committee to prepare a memorial to the memory of the late Joseph Mullin.....	212
appointment of William H. Driscoll.....	41
appointments made by the.....	41, 57, 293
appointments made by, to attend the opening of the next session.....	2890
appointments made by, to remain after the close of ses- sion	2890
closing address of the.....	2891
committee to conduct to the chair.....	9
election of, made by.....	7
oath of office administered to, by the.....	58, 76, 81, 93, 99
opening address of the.....	9

Speaker, decisions of the, on points of order raised by:

Mr. Armstrong, on bill (Int. No. 524), relative to Rail- road Law.....	2617
Mr. Donnelly, on Senate bill (Rec. No. 47) to amend the charter of the city of Syracuse.....	558, 559
Mr. Finn, on bill (Int. No. 1081) relative to enrollment for primary elections.....	1908
Mr. Finn, on motion to suspend rules, relative to resolu- tion censuring Senator Murphy.....	396
Mr. Green, on bill (Int. No. 20) known as the Elmira Reformatory bill	913
Mr. Green, on concurrent resolution, relative to biennial sessions of the Legislature.....	764
Mr. Laimbeer, on bill (Int. No. 524) relative to Railroad Law	2617

Speaker, decisions on points of order raised by — Continued: PAGE.

Mr. McKeown, on bill (Int. No. 52) to amend the charter of New York city.....	897
Mr. McKeown, that the rules having been suspended, the House is now proceeding without any rules.....	781
Mr. Nixon on motion relative to debate on Cuban resolutions	90
Mr. Oliver, on motion to suspend rules, relative to resolution censuring Senator Murphy.....	396
Mr. Weekes, on resolution relative to Cuban affairs....	89
Spencer, Henry A., Speaker's messenger, appointment made by Mr. Speaker.....	57
Standard weight of feed and grain, to fix (Int. No. 963)....	819
State Board of Charities, licensing and regulation of dispensaries by, relative to (Rec. No. 180).....	1147
State Board of Embalmers, to establish and regulate the practice of embalming (Int. No. 711).....	408, 684, 777, 813 815, 863, 908, 944, 2824
State Charities Law to, amend (Int. No. 157).....	1142
State Charities Law, to amend, monthly estimates of expenses, relative to (Int. No. 661).....	363
State Charities Law, to amend, relative to care, custody, discipline and discharge of patients in the Craig Colony (Int. No. 1176).....	1304, 1483, 1712, 1731, 1786, 1965, 2824
State Finance Law, to amend, education fund, relative to (Int. No. 417).....	175, 367, 542, 587, 673, 783, 829, 1134, 1690 1743, 1789, 2182, 2528, 2596, 2602, 2622, 2831
State Finance Law, to amend, itemized and monthly accounts of public officers, relative to (Int. No. 660).....	363
State hospitals, transfers from to Matteawan State Hospital, relative to (Rec. No. 310).....	1865, 2033, 2082, 2100

State library building, acquiring of a site for, relative to (Int. No. 862).....	649
State prisons, support and maintenance of and expenses of State Superintendent, to provide for (Int. No. 431)..177,	994
1061, 1085, 1092, 1203, 2534	
State Racing Commission to establish, improvement of the breed of horses, relative to (Int. No. 1003)....	913, 1558, 2016
2322, 2327, 2466, 2470, 2540, 2829	
State Treasurer to pay over certain moneys to treasurer of Utica State Hospital (Int. No. 1364).....	2198
State Truant School, establishment of, to provide for (Int. No. 327).....	123
Statutes of the State, purchase and distribution of, to pro- vide for (Int. No. 961).....	819
Statutes, revision of rules and condensation of, relative to civil procedure in the courts of the State (Int. No. 801)...	534
Steam boilers, machinery and elevators, protection of life and property, relative to operators of (Int. No. 289).....	113
Stenographer to commissioner appointed to investigate J. H. Tamsen, to compensate (Rec. No. 35)....	338, 537, 731, 806
870, 1374, 2188, 2193, 2197	
Steuben county, sheriff of, to make a salaried office of and regulate the management (Int. No. 1141)....	1128, 1365, 1677
1733, 1815, 2522	
Stewart, Grace L., stenographer, appointment made by Mr. Speaker	57
St. Johnsville, additional water supply system, in the vil- lage of, to provide for (Int. No. 344).....	129
St. Lawrence Power Company of Massena, to incorporate (Rec. No. 74).....	680, 1483, 1724, 1941

Stock Corporation Law, to amend, alteration or extension of business, relative to (Int. No. 1224).....	1358, 1697, 1772, 1844, 2032
Stock Corporation Law, to amend, prohibited transfers to officers or stockholders, relative to (Int. No. 1039).....	1023
Stock Corporation Law, to amend (Rec. No. 417).....	2701, 2849
Stock Corporation Law, to amend, relative to alteration or extension of business (Rec. No. 360)....	2539, 2693, 2702, 2727
Stock corporations legal inspection of, to provide for (Int. No. 867).....	650, 1035, 1081
Stocks, bonds, etc., agents or brokers who buy or sell, to fur- nish a statement, relative to (Int. No. 658)....	362, 1247, 1386 1526, 1536, 1649
Stone used in State or municipal works, to amend labor law, relative to (Int. No. 219).....	95
Stone used in State or municipal works, to amend Labor Law relative to (Int. No. 1198).....	1237, 2038, 2085, 2163
Stony Point, acquiring the site of battle of, relative to ac- quisition of lands (Rec. No. 202).....	1381, 1560, 1766, 1988
Storage and Transportation Company, Merchants', to in- corporate (Int. No. 1221).....	1357, 2036, 2084, 2776
Storage reservoirs, within the boundaries of the Forest Pre- serve, construction of, to provide for (Int. No. 1043)....	1024 1175, 1339, 1362
Storage warehouses, relative to (Int. No. 228)..	96, 520, 577, 602 725
Stow, Mulford, page, appointment made by the clerk.....	58
Streets, avenue and public places in the State, paving and repaving of, to be done by day's work, relative to (Int. No. 580)	294

Streets, highways, drives and sidewalks in municipal corporations, use of wood or natural asphalt, the product of the United States, to provide for (Int. No. 1226).....	1358
St. Regis river, declaring East brook a tributary of, a public highway for floating of logs and shingle bolts (Int. No. 1044).....	1024, 1175, 1339, 1363, 1438, 1443, 2024
St. Regis tribe of Indians, to amend law relative to (Int. No. 1239).....	1449, 1858, 1868, 1997, 2826
Subway companies, to place automatic safety valves on all man-holes, relative to (Int. No. 673) ..	404, 1247, 1387, 1526, 1536 1650
Suepernant, Louis and John R. Wilson, application for cancellation of tax sale in Hoffman township (Int. No. 421). ..	175 1241, 1387, 1524, 1537, 1654, 2821
Sugar beet culture, to amend Agricultural Law relative to (Int. No. 142).....	72
Sugar beet culture, to amend Agricultural Law relative to (Rec. No. 21).....	291, 990, 1267, 1348, 1353, 1423, 1742
Sullivan county, sheriff of, to make a salaried office in part, and regulate the management of (Int. No. 1047)....	1024, 1253 1364, 1443, 1785, 1954, 2824
Sunday, exhibitions on, relative to (Int. No. 134).....	72
Supervisor of Dutchess county, to make the office salaried, relative to (Int. No. 668).....	364, 739, 808, 840, 845, 882, 1440
Supervisors of Chemung county, to audit certain claims of indigent soldiers, relative to (Int. No. 439) ..	192, 260, 305, 329 402, 415, 817
Supervisors of Monroe county, to provide for the salary of, and regulate the time of meetings (Int. No. 680).....	405, 1000 1266

Supreme Court, compensation of justices assigned to hold court in Kings county (Rec. No. 291).....	1800, 2290
Supreme Court, compensation of justices designated to Ap- pellate Division of the Second Department (Rec. No. 257). .	1797 2292
Supreme Court, fifth judicial district, appointment of clerks to certain justices of, relative to (Int. No. 1330)....	1792, 2547
Supreme Court, first judicial district, to amend law relative to (Rec. No. 221).....	1549, 2289
Supreme Court, first judicial district, to amend law relative to salaries of clerks (Rec. No. 273).....	1746, 2284
Supreme Court of the fifth judicial district, clerks to certain justices of, appointment of, relative to (Rec. No. 27)....	313 994, 1064
Supreme Court in the first judicial district, compensation of clerks, relative to (Rec. No. 83).....	681, 2285
Supreme Court in the first judicial district, relative to (Int. No. 903)	727
Supreme Court in the second judicial district, justices of, compensation and allowance for expenses, to equalize (Int. No. 794).....	533, 732, 805, 840, 845, 871, 1439
Supreme Court in the sixth judicial district, appointment of clerks to certain justices in, to provide for (Int. No. 1084).....	1066, 1249, 1437, 1603, 2024
Supreme Court, second judicial department, to appoint a clerk, a deputy clerk and attendants and provide for their compensation (Int. No. 1252).....	1377
Supreme Court, to provide a clerk for the justice of, residing in Jefferson county (Rec. No. 348).....	2537, 2599, 2604, 2651

Swamps, marshes and other low lands, drainage of, relative to (Int. No. 665).....	363, 1484, 2121
Sweeney, Grace R., stenographer, appointment made by Mr. Speaker	57
Syracuse:	
bridge over the Erie canal at Bridge street in, construc- tion of, to provide for (Int. No. 1326).....	1791
bridge over the Erie canal at Bridge street in, construc- tion of, to provide for (Rec. No. 388)....	2609, 2698, 2707 2785
building for fire purposes in the Fifteenth ward of the city of, to levy a tax to provide for (Int. No. 1268)...	1450 2321, 2466, 2477, 2833
charter of city, to amend (Rec. No. 318)....	1867, 2039, 2086 2173
charter of city, to amend (Rec. No. 319)....	1867, 2039, 2086 2172
charter of city, to amend (Rec. No. 320)....	1867, 2040, 2086 2251
charter of city, to amend (Int. No. 749)...	455, 629, 672, 719 725, 803, 941, 1067, 1852, 2018, 2685
charter of city, to amend (Int. No. 1149)....	1140, 1309, 1406 1728, 1786, 1957, 2319
charter of city, to amend (Int. No. 1150)....	1140, 1459, 1717 1783, 1849, 2118
charter of city, to amend (Int. No. 1151)....	1140, 1459, 1716 2525, 2681
charter of city, to amend (Int. No. 1222).....	1357
charter of city, to amend (Int. No. 1256).....	1378
charter of city, to amend (Int. No. 1257).....	1378

Syracuse—Continued:

PAGE.

charter of city, to amend, compensation of captain of the night watch of the police force, relative to (Int. No. 785).....	492, 924, 1206, 1297, 1300, 1402, 2527
charter of city, to amend, compensation of chief of police, relative to (Int. No. 617).. 1281, 2528	332, 690, 893, 1015, 1230
charter of city, to amend, municipal court of, to estab- lish (Int. No. 750).. charter of city, to amend, notice of assessment-rolls in official papers, relative to (Int. No. 48).. 1735, 1859, 1869, 1923, 2527	455, 631, 671, 719, 782, 837, 1739, 2593
charter of city, to amend, relative to fire department (Int. No. 49).....	60, 258, 303, 356, 450, 458, 2319
charter of city, to amend, relative to manner of election of officers by the common council (Int. No. 47).. 127, 140, 286, 531	60, 104, 118
charter of city, to amend, Syracuse Central library, rel- ative to (Int. No. 46).....	59, 166, 206, 264, 297, 426, 818
charter of city, to amend, ward boundaries, relative to (Int. No. 147).....	73, 257, 286, 338, 386, 399, 529, 551
charter of city, to amend, ward boundaries, relative to (Rec. No. 47).....	409, 483, 494, 557, 988
city of, to issue bonds for park purposes (Int. No. 50).. 165, 252, 503, 575, 604, 606, 617, 817, 1302	60
fire building in the eleventh ward of the city of, to levy a tax to provide for (Int. No. 762).. 860, 1133, 1270, 1739, 2690	489, 695, 777, 811, 816
fire building in the twelfth ward, erection of, to pro- vide for (Int. No. 616)....	332, 504, 574, 604, 606, 673, 712

Syracuse—Continued:

PAGE.

fire building in the twelfth ward, erection of, to provide for (Rec. No. 61).....	651, 673, 1154, 1393, 1618
hoist bridge over the Erie canal on Catherine and Almond streets in city of, to provide for (Int. No. 51). (See Canals.)	
police and fire departments service in, placing wires, cables, etc., underground in subways, to provide for (Int. No. 783).....	491, 695, 774, 811, 815, 854, 1740, 2593
police pension fund in, to provide for, relative to bail bonds, fines and warrants issued by police justices, (Int. No. 45).....	59, 164, 183
steel bridge over Onondaga creek in West Water street in city of, to provide for (Int. No. 656).....	362, 542, 587, 633 634, 665, 952, 2685
steel bridge over Onondaga creek in West Water street in city of, to provide for (Rec. No. 66).....	652
steel bridge over the Erie canal at the foot of Westcott street in, construction of, to provide for (Int. No. 924).....	730 1462, 1720, 1728, 1789, 1982, 2528

T.

Taxable transfers of property, relative to (Rec. No. 86).....	682, 1004 1063, 1109
Taxable transfers of property, to amend law, relative to (Int. No. 633).....	334
Taxation, certain property to exempt from, relative to (Int. No. 364)	139
Taxation, exempting buildings in course of construction (Int. No. 637)	335, 1004, 1207, 1265

Taxation, exempting deferred installments of purchase-money for real estate sold by the City and Suburban Homes Co. (Int. No. 1097).....	1095
Taxation, land and building corporations, exempting, relative to (Int. No. 236).....	100, 1259, 1391, 1528, 1847, 2206
Taxation, local, to permit cities and towns to grant certain exemptions from (Int. No. 926).....	785
Taxation of corporations for State purposes, to amend law, relative to (Int. No. 1209).....	1308
Taxation of property, appointment of a commission, to revise and amend statutes, relative to (Rec. No. 24)....	312, 739
	896, 1233, 1289, 1384, 1487, 1544, 1744
	1839, 1911, 2319
Taxation of trust companies, to amend law, relative to (Int. No. 459)	209, 545
Taxation, relative to, franchise tax on corporations (Int. No. 908)	728
Taxation, relative to State Board of Tax Commissioners (Int. No. 59).....	62, 108, 272, 292
Taxation, to amend chapter 24 of the general laws, relative to (Int. No. 532).....	268, 1258, 1390, 1532, 1847, 2205
Taxation, to amend law, relative to, bond, debt, or other demand, secured by mortgage (Int. No. 293).....	119, 1592, 1763
Taxation, to amend law, relative to exempting nursery corporations (Int. No. 323).....	123, 1259, 1390, 1527, 1539, 1637
Taxation, to amend law, relative to place of taxation of property of residents (Rec. No. 175).....	1146, 1592, 1767
Taxation, to amend law, relative to, preparation of assessment-roll (Int. No. 328).....	124

Taxation, to amend law, relative to, proceedings upon return (Int. No. 969).....	820
Taxation, to amend law, relative to property of a municipal corporation (Int. 1054).....	1025
Taxation, to amend law, relative to refund of tax paid upon illegal assessments (Int. No. 620).....	332
Taxation, to equalize (Int. No. 75).....	64
Taxation, to regulate assessments and provide for home rule in (Int. No. 240).....	101, 1259, 1390, 1744, 1856
Taxes, collection of, in Chautauqua and Cattaraugus coun- ties, relative to (Int. No. 489) ..	225, 514, 573, 604, 605, 613, 1441
Taxes illegally collected in cities, villages and school dis- tricts, refunding of, to provide for (Int. No. 1302).....	1691
Taxes, nonpayment of, fine and imprisonment for, relative to (Int. No. 1194).....	1307
Taxes, nonpayment of, to abolish fine and imprisonment for, relative to (Int. No. 374).....	153, 272, 313, 359, 403, 420
Taxes on property in Clinton county, relative to (Int. No. 313)	121
Taxes, sales for nonpayment of, in St. Lawrence, Lewis and Oneida counties (Int. 336).....	128, 272, 313, 359, 403, 421
	726, 1014, 1066, 1084, 1117, 1445, 1522, 2028
Taxes, to appoint commissioners for the equalization of, and examination of assessment-rolls (Int. No. 545).....	269, 546
	588, 632, 634, 663, 2521
Tax Law, to amend (Int. No. 1096).....	1095
Tax Law, to amend, assessment-roll and receipts for taxes, forms of, relative to (Int. No. 1124).....	1138
Tax Law, to amend, exemption from taxation of real prop- erty purchased with the proceeds of a pension (Int. No. 738)	453

Tax Law, to amend, exemption from taxation of real property purchased with the proceeds of a pension (Int. No. 95)	66
Tax Law, to amend, exemption from taxation, relative to (Int. No. 196).	83
Tax Law, to amend, exemption of personal property from taxation, relative to (Int. No. 1276).	1451
Tax Law, to amend, exemption of the property of a municipal corporation, relative to (Int. No. 898).	679
Tax Law, to amend, payment of State tax, relative to (Int. No. 983).	822, 1592, 1762, 1841, 2032, 2035, 2083, 2149, 2829
Tax Law, to amend, recording of Comptroller's and county treasurers' deeds, relative to (Rec. No. 148).	1141, 1592, 1768 1833
Tax Law, to amend, relative to tax sales (Rec. No. 410).	2712 2838
Tax Law, to amend, taxation of corporations for State purposes, relative to (Rec. No. 305).	1865, 2041
Tax Law, to amend, taxation of real property divided by line of tax district, relative to (Int. No. 456).	209, 546, 587, 633 634, 661, 910, 1123, 1214, 1445, 1606, 2028
Tax money levied and collected under chapter 456, Laws of 1882, to provide for refunding to taxpayers (Int. No. 1155)	1303
Tax sales, application of Amelia Bach for cancellation of, relative to (Int. No. 657).	362, 1240, 1388, 1525, 1537, 1658
Telephone charges, to empower certain State officers to regulate, and provide for expenses of same (Int. No. 730).	452 839, 2218
Telephone charges, to regulate the price of (Int. No. 266).	110

Terry, L. B., assistant superintendent of wrapping department, appointment made by the clerk.....	58
Thomas Asylum for Orphan and Destitute Indian Children, to provide for (Int. No. 615).....	331, 1554, 2135, 2827
Thomas Asylum for Orphan and Destitute Indian Children, to provide for (Rec. No. 353).....	2302, 2471
Thorne, John E., contesting seat of Samuel M. Hubbard.	41, 2708
Tickets, sale of in places of amusement, to regulate (Int. No. 559).....	288, 735, 894, 956, 1019, 1078, 1250, 1427
Tide waters of the State, navigation in certain, to protect (Int. No. 164)...	76, 545, 670, 759, 811, 816, 853, 1440, 2520, 2592
Tioga county, sheriff of, to make a salaried office of, relative to (Int. No. 177).....	78, 116, 150, 171, 182, 326
Toll charges on public highways or bridges to prohibit, relative to (Int. No. 632).....	334
Tonawanda Indian Reservation in Genesee county, highway and bridges upon, construction of, to provide for (Int. No. 835).....	586, 1244, 1518, 1677, 1734, 1828
Tonawanda, State armory at, to refund to Erie county unexpended balance raised for site of (Int. No. 358)....	138, 371
	409, 445, 449, 468, 581
Tonawanda, stone arch culvert over the State ditch at Delaware street, in the village of (Int. No. 237)....	101, 1554, 3136
	2829
Tonawanda, to refund to county of Erie, unexpended balance of money raised for site for the State armory in village of (Rec. No. 33).....	337
Tonawanda, town board and other officials, to legalize and confirm the several acts of, relative to Delaware road (Int. No. 1227).....	1358

Town Law and Election Law, to amend, relative to time of holding town meetings (Int. No. 1320).....	1693, 2034, 2082 2103, 2820
Town Law, to amend; biennial town meetings, relative to, and election of assessors and commissioners of highways in the spring of 1899, to provide for (Int. No. 852)....	609, 1031 1079, 1129, 1232, 1287, 1535, 1635, 2317
Town Law, to amend, burial grounds, election and powers of trustees of, relative to (Int. No. 1142).....	1128, 1472, 1711 1731, 1787, 1860, 1870, 1968, 2824
Town Law, to amend, fees of magistrates and peace officers in connection with the arrest of tramps and vagrants, relative to (Int. No. 724)....	452, 739, 808, 840, 845, 874, 2687
Town Law, to amend, hawkers and peddlers, licensing of, relative to (Int. No. 885)....	677, 1166, 1334, 1366, 1372, 1498, 2686
Town Law, to amend, qualifications of assessors, relative to (Int. No. 789).....	532, 684, 777, 811, 816, 862, 2025
Town meetings and elections in counties having a certain population, to provide for (Int. No. 1186)....	1305, 1383, 1522 1678, 1735, 1918, 2524
Town meetings, annual, to provide for the holding of in Rockland, Orange and Sullivan counties (Int. No. 932).. 1000, 1266, 1350, 1353, 1421, 2824	785
Towns and cities, construction of bridges over the waters between, to provide for (Int. No. 836).... 1787, 1966, 2318	586, 1471, 1712, 1730,
Towns and villages, elective or appointive boards of, to provide for publication of proceedings (Int. No. 1153).....	1302
Towns to purchase property and franchises of water works company, to provide for payment of same (Int. No. 1207)	1308, 2264, 2828

Trade and commerce, relative to (Int. No. 1275).....	1451
Tramps, relative to (Int. No. 163)..75, 544, 709, 904, 1089, 1179	
Tramps, relative to punishment of (Int. No. 119)....	69, 926, 1205
	1265, 1360, 1731, 1736, 1817, 2184, 2822
Transfer tax assistant district attorney, to amend tax law, relative to (Int. No. 630).....	334, 1553, 1761, 2192, 2197, 2594
	2601, 2613, 2822
Transient merchants, licencing of, to provide for (Int. No. 427).....	176, 351, 480, 582, 634, 657, 1439
Transportation and Storage Company, Merchants, to incor- porate (Int. No. 1221).....	1357, 2036, 2084, 2246, 2776
Transporation Corporation Law contained in the Revised Statutes, to amend (Int. No. 853)..	609, 1483, 1711, 1784, 2316
	2699, 2707, 2786
Transportation Corporation Law, to amend, inspection of gas meters and providing for a deputy inspector in the city of Jamestown (Int. No. 741)..	454, 1152, 1335, 1360, 1443
	1540, 1647, 2318
Transportation Corporation Law, to amend, interests on de- posits with gas companies, relative to (Int. No. 1147)..	1139, 1856
Transportation Corporation Law, to amend, interest on de- posits with gas companies, relative to (Rec. No. 204)....	1382
	1705, 1774, 1856, 2016
Treadway, Thomas J., assistant doorkeeper, appointment made by Mr. Speaker.....	57
Tremper, Jacob, Jr., appointment of, made by Mr. Speaker.	57
	127
Troy:	
and West Troy Bridge Company, to borrow money to pay its existing indebtedness (Int. No. 1279).....	1452

Troy — Continued:

PAGE.

charter of city, to amend, public and local improvements, relative to (Int. No. 603)	311, 628, 805, 953, 1019 1072, 2588, 2689
memorial day in, proper observance of, and care of the soldiers and sailors' monument (Int. No. 12)	43, 124 130, 151, 171, 188, 204
memorial day in, proper observance of, and care of the soldiers and sailors' monument (Rec. No. 9)	157, 188 791, 827, 890
teachers, who have taught a term of years in, to retire on life pension (Int. No. 1053)	1025
Union Railroad Company in, taxation of the property of, relative to (Int. No. 401)	156
Truant schools, to provide for the establishment of (Int. No. 327)	123
Trust companies, conferring additional powers upon in certain counties (Int. No. 31)	46, 150, 202, 221, 246, 250
Trustees of benevolent and fraternal orders, election of, to amend law, relative to (Int. No. 871)	651, 1037, 1082 1128, 1232, 1324, 2525
Trustees of the Hamilton Baptist Society, election of successors, relative to (Int. No. 757)	456, 708, 781, 815, 853, 1066
Trustees of the Masonic Hall and Asylum Fund, to incorporate (Int. No. 208)	93, 201, 1173, 1368 1785, 1862, 1871, 1950, 2318
Tupper, Charles F., deputy clerk, appointment made by the clerk	57

- Turnpike, plankroad and bridge companies, relative to, statistical information for public benefit (Int. No. 970)... 820, 1246
1386, 1728, 1785, 1955, 2831
- Twine, binding, to amend law, relative to labeling of (Int. No. 460).....209, 1035, 1081, 1230, 1301, 1399, 1588, 1769

U.

- Ulster county, coroner, office of, to abolish (Int. No. 428).... 176
371, 410, 429, 486, 528, 584
- Ulster county, coroner of, to make a salaried office of, and regulate the management of said office (Rec. No. 178).... 1146
1475, 2128, 2526
- Ulster, to incorporate the village of (Rec. No. 121).....1120, 1252
1394, 1622
- Ulster, to incorporate the village of (Rec. No. 223).....1550
2532, 2535, 2578
- Union Free School District No. 7, in the town of Cortlandt, boundaries of, to establish (Int. No. 546).....269
- Union Plank Road Company in Kingston, to acquire title to, relative to (Rec. No. 30).....337, 692, 780, 866
- Union Veterans' Union, Department Command of the, to incorporate (Int. No. 429).....176, 379, 482, 525, 528, 566
- United States flag, display of on schoolhouses, and to encourage patriotic exercises in schools (Rec. No. 246)..... 1795
2325, 2468, 2502
- United States Mortgage Company, to incorporate, qualifications of directors, relative to (Int. No. 1070).....1028, 1246
1386, 1532, 1847, 2204, 2821
- University Law, to amend (Rec. No. 38)..... 365

Unskilled labor, rate of wages to be paid for, on public works, to amend Labor Law, relative to (Int. No. 755).....	456
	1260, 1391, 1729, 1786, 1956
Utica:	
Academy building in, to legalize the vote cast to appropriate money for (Int. No. 369).....	152, 258, 306
	329, 402, 417, 530, 1068
assessors, board of, in city of, to create, and defining its powers (Int. No. 590).....	295, 500, 670, 717, 783, 833
	1067, 1789, 2679, 2815
bridge over the Erie canal at Washington street, in the city of, to provide for (Int. No. 639). (See Canals.)	
bridge over the Erie canal at Washington street, in the city of, to provide for (Rec. No. 390). (See Canals.)	
charter of city, to amend, relative to official newspapers (Int. No. 116).....	69, 254
charter of city, to amend, street cleaning and local assessments, relative to (Int. No. 1088).....	1093, 1311
	1365, 1445, 1613, 2526
common schools in city of, moneys to be raised for fuel and contingent expenses of, relative to (Int. No. 948)...	787
	919, 1057, 1086, 1300, 1343, 2025
common schools in city of, moneys to be raised for teachers' wages, relative to (Int. No. 949).....	788, 919
	1057, 1087, 1300, 1344, 2027
common schools in, relative to (Int. No. 464).....	210, 484
	631, 671, 723, 909, 971, 2027
inspectors of election, poll and ballot clerks in, to fix compensation of (Int. No. 165).....	76, 124, 131, 151
	171, 181, 726, 1067

Utica—Continued:

PAGE.

Keating, George W., a policeman of the city of, retiring
and pensioning of, to provide for (Int. No. 899)..... 679

Keating, George W., a policeman in city of, retiring
and pensioning of, to provide for (Rec. No. 396)..... 2711

lift or hoist bridge over the Erie canal on Schuyler
street, in the city of, to provide for (Int. No. 114). (See
Canals.)

Munson Williams' Memorial Hall of, directing the Adju-
tant-General to deliver two battle flags to the man-
ager of (Int. No. 1248).....1450, 1804, 2147

Munson Williams' Memorial Hall of, directing the Adju-
tant-General to deliver two battle flags to the man-
ager of (Rec. No 277).....1798, 2034, 2082, 2101

New Hartford, to set off and annex a part of the town
of, to the city of (Int. No. 115).....69, 254, 1694, 2144

Orphan Asylum Society in the city of, to incorporate
(Int. No. 1077).....1029, 1173, 1339, 1370, 1536, 1643, 2527

V.

Vaccination and toxine, seropathy and other alleged pro-
phylactics, commission to investigate the nature and
value of, to provide for (Int. No. 1038)..... 1023

Vehicles, bicycles and tricycles, use of, to regulate (Int. No.
772) 490

Vernon, Oneida county, releasing and granting certain
lands in town of, to the village of Oneida Castle (Int. No.
604) 311

Vessels owned by Americans, to exempt from State or local
taxation (Int. No. 58)..... 61

Veterinary medicine and surgery, to regulate the practice
of (Int. No. 513)..... 249

Viereck, Louis F., committee clerk, appointment made by Mr. Speaker	57
Village Law, to amend, assessments for pavements, relative to (Int. No. 1050).....	1025, 1251, 1389, 1530, 1847, 2110, 2827
Village Law, to amend, criminal jurisdiction of village po- lice justices, relative to (Int. No. 627) ..	333, 754, 807, 840, 845 879
Village Law, to amend, lien of assessment for local im- provements, relative to (Int. No. 722) ..	429, 754, 807, 840, 845 881, 2023
Village Law, to amend, population requisite to incorporate, relative to (Int. No. 1022),	915, 1251, 1389, 1527, 1539, 1662, 2523
Village Law, to amend, qualifications of electors, relative to (Int. No. 173).....	78
Villages, election of assessors in, to amend law relative to (Int. No. 751).....	455, 754, 895, 954, 1134, 1278, 2525
Villages, furnishing water to other municipalities (Int. No. 383).....	154, 599, 612, 653, 718, 782, 830, 2318
Villages, officers of fire department in, nomination of, rela- tive to (Int. No. 341).....	129, 273, 313, 359, 403, 422, 432, 1741
Villages, to amend law, relative to continuance of separate boards (Int. No. 1114) ..	1137, 1599, 1764, 1843, 2031, 2229, 2823
Villages, to amend law, relative to term of office of trus- tees (Int. No. 707).....	407
Vinegar, adulterated, to amend Agricultural Law, relative to (Int. No. 699).....	406
Volunteer Life Saving Corps, services and expenses of, to provide for (Int. No. 287).....	113, 1556, 2136

W.	PAGE.
Wages, rate of, and hours of labor on public works, to amend Labor Law relative to (Int. No. 866).....	650, 1706
Wages, rate of, to be paid for unskilled labor on public works, to amend Labor Law relative to (Int. No. 755)....	456 1260, 1391, 1729, 1786, 1956
Wages, to employes on public works, to determine what constitutes the prevailing rate of, to amend Labor Law relative to (Int. No. 848) ..	608, 1259, 1520, 1591, 1782, 1860, 1869 2029, 2179, 2829
Waite, M. R., appointment of, made by Mr. Speaker....	57, 127
Walter C. F., assistant doorkeeper, appointment made by Mr. Speaker	57
Walton Hose Company, in the village of Chester, to increase the number of its members (Int. No. 508)....	248, 378 412, 445, 449, 478, 1524, 1542, 1839, 1855
Walton, State armory and drill-room at, completion of, to provide for (Int. No. 1170).....	1149, 2042, 2825
Walton, union school district No. 1, in town of, to issue bonds for refunding present indebtedness (Rec. No. 217)..	1549 1707, 1774, 1992
Warehouses, storage, relative to (Int. No. 228)....	96, 520, 577 602, 725
Warren county, to annex the towns of Stony Creek and Thurman to the first school commissioner's district of (Int. No. 875).....	675, 1035, 1079, 1129, 1232, 1326, 2024
Washington county, clerk of, to make the office salaried, relative to (Int. No. 471) ..	211, 370, 410, 444, 449, 472, 910, 1348 1354, 1726, 2189, 2322, 2466, 2484, 2831

Waterford, foot bridge over the Champlain canal in town of, additional appropriation for, relative to (Int. No. 1080). (See Canals.)	
Waterford, foot bridge over the Champlain canal in town of, construction of, to provide for (Int. No. 936). (See Canals.)	
Waterford, police justice in town of, election of, to provide for (Rec. No. 367).....	2606, 2692, 2702, 2724
Waterford, swing bridge over the Champlain canal near Burton's saw-mills, in town of, to provide for (Int. No. 935). (See Canals.)	
Watertown, charter of city, to amend (Rec. No. 227)..	1550, 2280
Watertown, to legalize and confirm the several acts of mayor, treasurer and other city officers of (Rec. No. 188)..	1236
Watervliet, charter of city, to amend (Int. No. 1057)..	1026, 1156
	1514, 2317
Watkins, charter of, to amend and enlarge the powers of said village (Int. No. 775)....	490, 755, 809, 841, 960, 1044, 2025
Watkins, charter of village of, to amend and enlarge the powers of the corporation of (Int. No. 774)..	490, 775, 809, 841
	960, 1045, 2025
Watkins, Glen creek in the village of, repairing the banks and channels of, to provide for (Int. No. 846)..	608, 1242, 1518
	1677, 1735, 1830, 2826
Webb, for the relief of the town of (Int. No. 677).....	404
Weekes, George, Jr., page, appointment made by the clerk..	58
Wells, Eugene J., page, appointment made by the clerk....	58
Westchester county, Historical Society of, town clerks to deliver certain books, maps and documents to (Int. No. 1167)	1149, 1472, 1711, 1730, 1786, 1964, 2524

- Westchester county, indexing conveyances, mortgages and other instruments, relative to lands and liens thereon in (Int. No. 1168).....1149, 1472, 1711, 1731, 1786, 1963, 2525
- Westchester county, indexing conveyances, mortgages and other instruments, relative to lands and liens thereon in (Rec. No. 264).....1745, 2327, 2470, 2515
- Westchester county, Pelham Manor in, Pelham Dale avenue and road in village of, relative to (Int. No. 962)..819, 1251, 1390
- Westchester county, taxes in, to extend the time for collection of, relative to (Int. No. 562)....289, 370, 410, 444, 448, 475
- Westchester county, three school commissioner districts of, to alter (Int. No. 238).....101, 801
- Westfield Cemetery Association, to incorporate and establish a permanent fund (Int. No. 985)..822, 1037, 1082, 1128, 1232
1325, 2023
- West Troy, bridge over the Erie canal on the line of Nineteenth street in village of, to construct (Int. No. 1185).
(See Canals.)
- West Turin, in Lewis county, division of election districts in town of, to legalize (Int. No. 519)....266, 372, 409, 444, 449
469 1067
- Wheatfield, election of successors to town officers in the town of, to provide for (Rec. No. 93).....946, 2038, 2085, 2248
- Whitehall, justice in, better administration of, to provide for, (Int. No. 472).....211
- Whitehall, State armory in the village of, erection of, to provide for (Int. No. 254).....103, 2262, 2687
- Whitesboro, boundary lines and corporation limits of the village of, to define (Int. No. 880)...676, 1002, 1267, 1351, 1535
1639, 2023

Whitesboro, charter of village, to amend, fixing boundary lines of village, relative to (Rec. No. 184).1236, 1600, 1768, 1835	
Whitesboro, foot bridge over the Erie canal at Burn- ham street in the village of, to provide for (Int. No. 1298). (See Canals.)	
Widowers, extension of endowments to, by Independent Order of Free Sons of Israel (Int. No. 299).....	119
Wife and husband, liabilities and remedies of, relative to (Int. No. 823).....	584
Williamsburgh, Methodist Protestant Church of, to sell land and remove bodies to the Union cemetery (Int. No. 1263)..	1376
Williston, Newlove, assistant doorkeeper, appointment made by Mr. Speaker.....	57
Wilson, Arthur H., page, appointment made by the clerk...	58
Wilson, John R., and Louis Suepernant, application for can- cellation of tax sale in Hoffman township (Int. No. 421)..	175
1241, 1387, 1524, 1537, 1654, 2821	
Wine or other liquors, to regulate the manufacture and sale of, relative to imitation of champagne (Int. No. 1283)....	1452
Witnesses, medical expert, appointment and examination of, relative to (Int. No. 478).....	212
Wixon, Dudley, page, appointment made by the clerk.....	58
Wood creek, removing obstructions from and cleaning the bed of, to provide for (Int. No. 204).....	84
Worcester, Maple Grove Cemetery Association in the town of, election of directors, to legalize (Rec. No. 36)..365, 514,	571
Workmen, for accidental injuries suffered in the course of their employment, to provide compensation to (Int. No. 1004)	913
Workmen, in mines, safety of, to provide for (Int. No. 554).	287

Wynn, William S. and James C., for relief of (Int. No. 1007).	914
1150, 1337, 1366, 1373, 1505, 2026, 2885	

Y.

Yale, John R., librarian, appointment made by the clerk...	58
Yates county, Milo, bridge over outlet of Crooked lake in town of, to provide for (Rec. No. 154)....	1142, 1858, 1868, 1995
Yonkers, certain expenditures made by the board of education of the city of, relative to (Int. No. 1195).....	1307
Yonkers, certain expenditures made by the board of education of the city of, relative to (Rec. No. 261).....	1797
Yonkers, certain expenditures made by the board of education upon school premises, relative to (Int. No. 1347).....	2553
Yonkers, charter of city to amend, paving of streets, relative to (Int. No. 1349).....	2597, 2603, 2640, 2835
Yonkers, charter of city, to amend, paving of streets, relative to (Rec. No. 368).....	2606, 2696, 2705, 2759
Yonkers, city of, to issue bonds to provide for certain assessments (Int. No. 124).....	70
Yonkers, city of, to issue bonds to provide for certain assessment (Rec. No. 10).....	158, 256, 306, 323
Yonkers, city of, to organize and establish a police department in (Int. No. 831).....	585
Yonkers, city of, to organize and establish a police department in (Rec. No. 235).....	1794, 2327, 2469, 2514
Yonkers, police board in city of, to borrow money for the purpose of defraying necessary expenses (Rec. No. 378)..	2607
	2696, 2699, 2705, 2790
Young Men's Christian Association of Mount Vernon, for the relief of (Int. No. 1010).....	914, 2888
Young Men's Hebrew Association, to exempt the real estate of, from taxation, relative to (Int. No. 933).....	786

JOURNAL
OF THE
ASSEMBLY
OF THE
STATE OF NEW YORK
AT THEIR
EXTRAORDINARY SESSION,

HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE ELEVENTH
DAY OF JULY, 1898.



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EXTRAORDINARY SESSION.

STATE OF NEW YORK :

ASSEMBLY CHAMBER, IN THE CITY OF ALBANY,

MONDAY, JULY 11, 1898.

Pursuant to the following proclamation of the Governor, the Assembly convened in the Assembly chamber, in the city of Albany, and was called to order by the Speaker, by whose direction the following proclamation was read:

PROCLAMATION.

STATE OF NEW YORK — EXECUTIVE CHAMBER,

Pursuant to the power vested in me by section 4 of article 4 of the Constitution, I hereby convene the Legislature in extraordinary session at the Capitol, in the city of Albany, on the eleventh day of July, 1898, at 8 o'clock in the evening.

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this fifth day of July,
[L. s.] in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,

Private Secretary.

Prayer by the Rev. Edwin Forest Hallenbeck.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Donnelly	Hoffman	Mullany	Seligsberg
Addis	Dutton	Holbert	Murphy	Shoeneck
Adler	Egan	Hubbard	Myers J C	Simmons
Allds	Eldridge	Hutton	Nixon	Sinsheimer
Armstrong	Ellis	Ives	OConnor	Sloan
Baker	Evarts	Johnson	Oliver	Smith E LaG
Boland	Finn	Kavanaugh	Palmer	Stedman
Bondy	Fish	Kelly	Paris	Stoneman
Brennan E C	Fitzgerald	Kelsey	Patton	Streifler
Brennen J F	Fordyce	Kullman	Perkins	Sullivan
Brewster	Fritz	Laimbeer	Peterson	Taylor
Burr	Fuller	Litchard	Phillips	Ten Eyck
Cain	Gale	Lowenthal	Pickett	Tiffany
Clark A L	Gallagher	Mahar	Pierce	Tompkins
Clark C J	Gibney	Maloney	Post	Trainor
Collins	Glaser	Marshall	Raplee	Tremper
Costello	Goodsell	Martin	Redington	Tripp
Cottle	Green	Mason	Reisert	Van Rens'ae
Coughtry	Greenwood	Matteson	Roche	Vincent
Cowles	Griggs	McEwan	Russell	Vroman
Crabtree	Guider	McGuire	Sage	Wallace
Cross	Hachemeis'r	McKeown	Sanford	Weekes
Cullen	Haight	McLaughlin	Schmid A F	Whipple
Dale	Harburger	Meyer G W	Schmid, F	Wicke
Davis	Hatch	Miles	Schultz	Williams
DeGraw	Hays	Miller	Schulum	Witter
Delaney	Hill	Mitchell	Sears	Zimmerman
Dillon	Hoes	Mohring		138

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Governor, and notify him that the Assembly is organized in extra session, and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Nixon and Donnelly.

Mr. Kelsey offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is

organized in extra session, and ready to proceed to such business as may come before them.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Kelsey and Roche.

Messrs. Wilcox and Foley, a committee on the part of the Senate, appeared in the Assembly chamber, and announced that the Senate was organized in extraordinary session and ready to proceed to business.

Mr. Nixon, from the committee appointed to wait upon the Governor and inform him that the Assembly was organized and ready to proceed to business, reported that they had performed that duty and that the Governor would shortly communicate with the Assembly in writing.

Mr. Kelsey, from the committee appointed to wait upon the Senate, and inform that body that the Assembly was organized in extraordinary session, and ready to proceed to business, reported that they had performed that duty.

A message from the Governor by the hands of his private secretary was received and read, in the words following.

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, *July 11, 1898.*

To the Legislature of New York:

Unusual events have made it necessary to convene the Legislature in extra session. There are three subjects which demand attention, and I recommend them for legislative action.

First.—An appropriation to meet the expense of providing New York's share of the troops required in the war with Spain.

Second.—A plan to enable voters absent from their homes in military service to vote at coming elections.

Third.—A provision which will better protect citizens who would vote according to law, and more certainly prevent and punish those who would vote otherwise.

Before the adjournment in March, the Legislature appropriated \$1,000,000 to meet a contingency which it was hoped would never happen. Since then New York has put in the field 16,000 men, at an expense of \$960,493.72. There is an unex-

pending balance of \$39,506.28. A large part of the money paid out will be returned by the general government, but not in time to be available for present use. This expenditure has sent to service the best drilled, best equipped and best prepared troops that any State has furnished. The purposes for which the appropriation has been expended appear in the Adjutant-General's statement, which I submit herewith. Such expenditures are given in detail on the books of the Adjutant-General's department, to which books I refer.

The justice of providing for the soldier's vote is clear. There will be in the field, when the present call is completed, about 20,000 of the male citizens of New York. Most of them are voters. They have responded with such promptness and courage as to evoke the highest praise from the government at Washington, and from the loyal citizens of the whole country, regardless of State limits. In November there may be in the field more or less than now, but in the natural order of things, however speedily the war may end, some at least will be absent. Every honorable sentiment demands that the right of the soldier be recognized by the State whose fame he has preserved and extended.

The last subject which I have recommended is no less just or important than the other two. There are laws now designed to protect honest votes, and suppress those that are fraudulent, but none except the unintelligent or the unfair maintain that these laws are always effective. Perhaps no law can produce an absolutely clean result, but until that result is as honest as law can make it, the subject will never be closed. The overwhelming majority of the people of this State, of all political faiths, believe in and will maintain a clean electoral franchise, but ever since men have dealt together, corruption has been extant and the time and means of the vast majority have been incessantly employed in attempts to confine the small minority within the restraints of law. There is no direction in which law breakers have been sodefiantand successfulas against the right of suffrage. The heat of political controversy has too often excused where it should have condemned. A temporary triumph has sometimes been gained at the cost of integrity, and the process has been ignored. No government can long endure which does not check and punish this highest of all forms of treason. Other offenses compared with it are small and insignificant. An honest franchise lies at the bottom of all governmental stability. You will enact laws in vain against theft and pillage, if the greatest evil, a corrupted franchise, goes uncleansed. It will profit little

to save the veins if the arteries are cut. It is far too common to make election crimes of the fall, public jests in the following spring. Honest, thoughtful citizens of this State see in recent events in New York city, a threatened repetition of practices which have on more than one occasion defrauded and disgraced the State.

When instruments are needed they are selected because of fitness for the end desired. This is true whether that end be honorable or base; and when recently in New York city the power to control elections was vested in one whose prominence rested upon notorious violations of the election law, the conclusion followed that the selection was made to repeat the infamous practices which had tarnished his previous career. High official station, accompanied with great power, has been there bestowed upon one whose name has had with election and other crimes the closest association. This increase of power, with no suggestion of increased fitness or integrity, has aroused the conservative citizens of every party to demand that the ballot be preserved from hands that hitherto have smirched it. The power to do this is vested in the Legislature. The duty to exercise that power cannot be evaded or denied. The authority rests with the Legislature of this State, but the demand comes from honest citizenship the country over.

Police control may be a subject for local regulation. What a community will do with and for itself, it alone should decide as long as that decision does not affect others nor transgress the bounds of decency and good morals. The general powers of the police in New York city should not now be interfered with. That body should be left as it is until the demonstration of its unfitness is again repeated and complete. But the question of an honest ballot is neither local nor State; it is national, and broader even than that, for it affects and controls as no other issue does, the integrity of citizenship, which has no limit. The national aspect of this question has in recent years received a signal declaration. The presidency has often turned upon the vote of New York, and within the memory of young men that high office has been once bestowed through the dishonor of the franchise in a single community in this State. The question thus presented cannot, therefore, be narrowed to local significance, nor confined by the restraints of party affiliation. It is as broad as the whole country, and it is to the citizen, not to the partisan, that its appeal is made. By no false issue should that appeal be stifled or obscured. It antagonizes no sound doctrine and transgresses no precept of fair play. No honest man can suffer nor justly complain of a violated right.

There are many who say, perhaps some who believe, that unless this question is dealt with by each community, right or wrong, the principle of home rule is offended. Even this contention, utterly without significance in the face of the greater issue, is not true. Home rule means only the right of the community to deal in its own way with matters pertaining to it, provided its method of dealing is in accord with the Constitution, the law, and the rights of the people at large. No community shall commit a crime, even though done on its own territory. No man shall counterfeit or forge, even though he does it in his own cellar. The doctrine of home rule protects one case as well as the other, and is equally shocked by each. No city shall debauch the franchise and relieve itself from restraint by claiming that the fraud was done at home. The effect of a crime does not stay where it was done nor affect the perpetrator alone. It spreads and contaminates, and its boundaries cannot be fixed. As well might one claim the right to poison the source of a river because that source was on his land. The plea of home rule will shield him against those on the course of the stream below as well as the same plea will shield those who poison in one spot, the franchise which is co-extensive with the republic.

The citizens of Plattsburgh or Watertown have the same right to demand an honest vote in New York city that they have to demand it at home, for in a general election the fraudulent vote destroys the power of an honest one, whether in the same box with it or in one three hundred miles away. Home rule is, in a small way, the doctrine of State rights, and has no greater scope. It is a privilege allowed by all to one, and cannot be used by that one to defraud the others. Within the limits intended by the Constitution it is a wise and salutary doctrine, but when it goes beyond the Constitution, beyond the laws, and protects the individual in outraging the multitude, it should be brought to the ground.

The same class which sees or claims to see in an effective election law, the violation of home rule, will also see the image of a force bill in every attempt to protect the franchise. This claim should neither mislead nor deter. Every law against crime is a force bill. There is one against murder, arson and theft. The law upon either of those subjects would be at once amended if the amendment would improve it. No protest would be raised or heeded if it was, and yet there are perhaps as many who at heart oppose a force bill against larceny as there are those who oppose a force bill against election crimes. The reason why one protest is silent and the other uttered, is because public sentiment condemns one and listens to the other. Those who profit by an evil

will raise false alarms to distract the public mind while they repeat the dangerous advantage. And yet, of the two crimes, theft is the milder and less to be feared. One is a crime against property, the other against liberty. One can be measured and the damage fixed; the other has no limit and may shatter the foundation on which all property rights depend. No society is safe which fails to recognize the magnitude of this evil or refuses to cut it out. It is the great danger threatening the country to-day. If any community can not or will not prevent it, the State should. When local authorities, clothed with a duty closely touching the welfare of the whole State, ignore or connive at its violation, the State itself should intervene. It should not permit its 7,000,000 of people to be defrauded at the polls by the few thousand who make of corruption either a pastime or an occupation. By meeting this subject with justice and determination, the State will perform a most solemn and imperative duty, and crush out an evil which has brought upon it injury and shame. The responsibility for a law against crime is not upon those who make it, but upon those who make it necessary.

An honest election is not a political question. It is not against a political party, if all parties are honest. It is only against a class, the most degraded and dangerous by which society is menaced. If any political party or members of it have received or expect benefits from this class, they will condemn as a force bill any law which restricts the infamous trade in which that class engages. The State should be for the law and against the criminals. Individuals and parties should take whichever side their interests point out, and they should be forced to take it in public.

I have only one reluctance in proposing new legislation, and that arises from the necessity for increased expense. But New York should respond to the President's call. Her absent soldiers should vote, and when those votes return they should be protected sacredly. No cost is too great, necessary to these ends. All legislation involves expense. The State expends millions of dollars every year for its various purposes. There is not in all this vast expenditure, one subject whose influence is so paramount and clear as the electoral franchise. The country is in greater danger from an abuse of this franchise than from the war with Spain. All other subjects depend for their success and even for their continuance, upon an honest vote. Any expenditure, therefore, which surrounds that vote with additional shields should be promptly made. But in this, no large expense need be incurred. A comparatively small number, determined, backed by a just law, can accomplish much in the way of prevention.

By prevention the law should be fulfilled, for its sole purpose should be to stop the commission of crime.

This question should be dealt with upon the broad lines of equal citizenship. No partisan advantage should be sought or allowed. Fair play is a rule which honest men cheerfully observe, others should be forced to observe it.

Legislation should be so framed that any man who attacks it must accuse himself. In all elections, where one of two great parties must prevail, bipartisanship is the basic principle, because there the right to control is established, and in the process of establishing it every man who has a right to participate has a right to be represented. This principle of bipartisanship, recognized by the Constitution, should be incorporated in the law. Wherever one party is represented, both should be, by precisely the same number in precisely the same way. The law upon this subject should be confined strictly to the conduct of elections, and the preliminary steps which culminate on election day. Legislation affecting any existing police force, except as to its duties in connection with registration and election, and offenses against them, I distinctly decline to recommend.

I know you will keep in view a reasonable economy, and yet remember that an honest election must be had at any price. That you will act in the full determination to be just to the whole people, and yet remember that justice will be but poorly done if you do not so provide that the votes of hundreds of brave men, now suffering in the trenches, shall not be destroyed by the crimes of one degenerate who has remained at home.

I submit to you the three questions I have named, with full confidence in your wisdom.

FRANK S. BLACK.

GENERAL HEADQUARTERS, STATE OF NEW YORK,

ADJUTANT-GENERAL'S OFFICE, }
ALBANY, July 11, 1898. }

Statement of Expenditures under Chapter 181, Laws of 1898.

There are outstanding accounts for pay of rejected officers and men, subsistence, transportation-purchases and maintenance of Camps Black and Townsend, estimated not to exceed	\$100,000 00
There will be required to replace the uniforms, packs, blankets, ponchos, cartridge belts, canteens, haversacks, cooking stoves, mess outfits, surgical field cases, medicine and tentage, surgical chests, hospital corps, and orderly ponchos taken by the National Guard organizations into the United States service, estimated.....	350,000 00

Actually paid out to date, July 11, 1898, as follows:

Pay of officers, soldiers, naval militia and expenses incidental thereto	\$208,107 69
Uniforms, blouses, trousers, campaign hats and caps.	81,623 05
Ponchos	2,925 00
Blankets	9,372 00
Leggings	3,018 00
Overcoats	4,205 00
Canteens and straps.....	900 00
Haversacks and straps.....	2,893 20
Cooking outfits and utensils.....	867 77
Medical supplies, instruments and medicines.....	4,700 57
Camp equipage and camp repairs.....	2,279 50
Drums, bugles, colors and music.....	3,236 00
Electric light, lighting materials.....	1,630 66
Telegraph, telephone and postage.....	2,213 67
Freight, cartage and expressage.....	6,777 02
Fuel at camp.....	2,235 75
Tentage, poles, pins and repairs.....	14,895 69
Subsistence	91,297 45
Transportation and traveling expenses.....	22,779 08
Clerical services, printing, binding, laborers.....	8,635 73
Horses, forage, straw and care of horses.....	28,524 50
Harbor patrol service.....	5,080 00
Coast signal service.....	770 34
Temporary building at Camp Black.....	1,526 05

Total.....	<u>\$960,493 72</u>
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Said message was ordered printed and laid upon the table.

(See Document.)

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Whereas, The United States of America, on the 31st day of April, 1898, for just cause, declared war against Spain; and

Whereas, Since that time, Commodore Dewey's fleet at Manila has met and entirely destroyed the Spanish fleet without the loss of an American ship or sailor; Cuba has been blockaded; Spain's best fleet of war vessels has been destroyed by Sampson and Schley at Santiago, without the loss of a ship and with the loss of a single life; the city of Santiago has been invested; the Spanish army has been defeated and driven back at every point by our brave soldiers under General Shafter; the Ladrone Islands have been captured and the Spanish governor made prisoner; in all of which operations the soldiers and sailors from the State of New York have participated with conspicuous gallantry; and

Whereas, The wisdom and patriotism of President McKinley, of our commanders on the water and generals on land, and the heroism of our soldiers and sailors, has been so marked as to

excite the admiration and commendation of all civilized people, especially of our own countrymen; therefore, be it

Resolved (if the Senate concur), That the Legislature of the State of New York, in extraordinary session assembled, extends, to William McKinley, President of the United States, to our commanders on land and sea, to the soldiers and sailors who have so nobly defended our flag and carried it to splendid victory in this war, for an oppressed people and for the honor of our common country, its heartfelt thanks and profound appreciation for their wisdom and courage and for their unselfish and heroic services.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted by a rising vote.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker presented the following communication from the Secretary of State:

STATE OF NEW YORK — OFFICE OF THE SECRETARY OF STATE,
ALBANY, *July 8, 1898.*

To the Clerk of the Assembly, Albany, N. Y.:

Dear Sir.—I herewith refer to you a communication from Thomas C. O'Sullivan, attorney, relating to the election of Perez M. Stewart as Member of Assembly for the Nineteenth Assembly District of the city and county of New York, together with a paper purporting to be a certificate of said Stewart's election.

You are also informed that said Stewart has this day filed in this office his oath of office as Member of Assembly for the Nineteenth Assembly District of the city and county of New York.

Yours respectfully,

JOHN PALMER,

Secretary of State.

NEW YORK, *July 7, 1898.*

Dear Sir.—Subsequent to the general election held on the 2d day of November, 1897, the board of county canvassers of the county of New York, issued a certificate of election to Solomon C. Weill as Member of Assembly for the Nineteenth Assembly District of New York county. Mr. Weill was the regular Democratic candidate in said Assembly district. He retained his seat during the regular session of 1898, during which time Perez M. Stewart,

a contesting candidate for the office of Assemblyman for the said Nineteenth Assembly District had been, through his attorneys, contesting in the courts, the election of the said Weill, with the result that on the 6th day of May, 1898, a writ of mandamus was issued by the Supreme Court of New York county, upon a decision affirmed by the Court of Appeals of this State directing the board of county canvassers of the county of New York to issue the certificate of election to the said Perez M. Stewart as the legally elected Member of Assembly for the Nineteenth Assembly District.

Mr. Stewart has taken the oath of office as prescribed by law and forwards the same to the Secretary of State.

As Member of Assembly for the Nineteenth Assembly District of New York county he will attend the extra session of the Legislature and for that reason requests that his name, instead of that of Solomon C. Weill, be placed upon the membership roll of the Assembly as the legally elected Member of Assembly for the Nineteenth Assembly District of the county of New York.

With Mr. Stewart's oath of office here enclosed you will also find the original certificate of election issued to him as above stated by the board of county canvassers of the county of New York.

Yours respectfully,

THOMAS C. O'SULLIVAN,

Attorney for Perez M. Stewart.

To the Honorable JOHN PALMER, *Secretary of State, Albany, N. Y.*

To the County Clerk of the City and County of New York:

BOARD OF COUNTY CANVASSERS,

OFFICE OF THE CLERK OF THE

CITY AND COUNTY OF NEW YORK.

We hereby certify that the board of county canvassers of the county of New York, having canvassed and estimated the votes cast at the general election held on the second day of November, 1897, for the office of Member of Assembly, for the Nineteenth Assembly District of the city and county of New York, do find, that (pursuant to a writ of mandamus issued by the Supreme Court, the sixth day of May, 1898), Perez M. Stewart having received the greatest number of votes, was duly elected to the office of Member of Assembly for the Nineteenth Assembly District of the city and county of New York, for the term of one year, beginning January 1st, 1898.

Dated *June*, 1898.

JOHN T. OAKLEY,

Chairman Board of County Canvassers.

HENRY D. PURROY, *Secretary.*

Mr. Seligsberg offered for the consideration of the House a resolution, in the words following:

Resolved, That Perez M. Stewart be declared the sitting member from the Nineteenth Assembly District of the county of New York.

Mr. Speaker put the question whether the House would agree to the passage of said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 132 }
} NOES 00 }

Those who voted in the affirmative, were

Ackert	Delaney	Hoffman	Murphy	Shoeneck
Addis	Dillon	Holbert	Myers J C	Simmons
Adler	Donnelly	Hubbard	Nixon	Sinsheimer
Allds	Dutton	Hutton	O'Connor	Sloan
Armstrong	Egan	Ives	Oliver	Smith E LaG
Axtell	Eldridge	Johnson	Palmer	Stedman
Baker	Ellis	Kavanaugh	Paris	Stoneman
Boland	Evarts	Kelly	Patton	Striefler
Bondy	Finn	Kelsey	Perkins	Sullivan
Brennan E C	Fish	Laimbeer	Peterson	Taylor
Brennen J F	Fordyce	Litchard	Phillips	Ten Eyck
Brewster	Fritz	Lowenthal	Pickett	Tiffany
Burr	Fuller	Mahar	Pierce	Tompkins
Cain	Gale	Maloney	Post	Trainor
Clark A L	Gallagher	Marshall	Raplee	Tremper
Clark C J	Gibney	Martin	Redington	Tripp
Collins	Glaser	Mason	Reisert	VanRens'aer
Costello	Goodsell	Matteson	Roche	Vincent
Cottle	Green	McEwan	Russell	Vroman
Coughtry	Greenwood	McGuire	Sage	Wallace
Cowles	Griggs	McKeown	Sanford	Weekes
Crabtree	Guider	McLaughlin	Schmid A F	Whipple
Cross	Hachemeis'r	Meyer G W	Schmid F	Wicke
Cullen	Hanna	Miles	Schultz	Williams
Dale	Harburger	Miller	Schulum	Witter
Davis	Hatch	Mitchell	Seligsberg	Zimmerman
DeGraw	Hays			

The Senate returned the concurrent resolution offered by Mr. Nixon relative to the war with Spain, with a message that they have concurred in the passage of the same without amendment.

Mr. Hoffman offered for the consideration of the House a resolution, in the words following:

Whereas, The Hon. William Astor Chanler, one of the members of this body, has gone to the front with a large number of other patriots from this State, and is now at Santiago de Cuba, fighting his country's cause upon the field of battle; therefore be it,

Resolved, That the Assembly of the State of New York, in extraordinary session assembled, send a cordial message of greeting to Captain Chanler, and wish him and all of New York State's gallant and brave soldiers a safe return from the field of battle; and be it further,

Resolved, That Mr. Chanler be, and he is, granted indefinite leave of absence from the House, and that a copy of this preamble and resolution be spread upon the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted by a rising vote.

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That the officers and employes of the Assembly of 1898 be the officers and employes of this extraordinary session.

Mr. Speaker put the question whether the House would agree to the passage of said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Ackert	DeGraw	Hatch	Miller	Schultz
Addis	Dillon	Hays	Mitchell	Schulum
Adler	Donnelly	Hoes	Mullany	Seligsberg
Allds	Dutton	Hoffman	Murphy	Simmons
Armstrong	Egan	Hutton	Murray	Sinsheimer
Baker	Eldridge	Ives	Myers J C	Smith E LaG
Bondy	Ellis	Johnson	Nixon	Stedman
Brennan EC	Evarts	Kavanaugh	Oliver	Stoneman
Brennen J F	Finn	Kelsey	Palmer	Sullivan
Brown	Fish	Kullman	Patton	Taylor

Burr	Fordyce	Litchard	Perkins	Ten Eyck
Chanler	Fuller	Lowenthal	Peterson	Tompkins
Clark A L	Gallagher	Mahar	Phillips	Trainor
Clark C J	Gibney	Maloney	Pickett	Tremper
Costello	Glaser	Marshall	Post	Van Rens'aer
Cottle	Goodsell	Martin	Raplee	Vincent
Coughtry	Green	Mason	Redington	Vroman
Cowles	Griggs	Matteson	Reisert	Wallace
Crabtree	Guider	McEwan	Roche	Wicke
Cross	Hachemeis'r	McGuire	Sanford	Williams
Cullen	Hanna	McLaughlin	Schmid A F	Wright
Davis	Harburger	Meyer G W		

Mr. Speaker announced the appointment of Major Poole as janitor, in the place of John Gallahorn, resigned.

Mr. Donnelly offered for the consideration of the House a resolution, in the words following:

Whereas, Since the final adjournment of the regular session of this Assembly our former associate, Hon. Solomon C. Weill, who represented the Nineteenth district of New York, has died;

Resolved, That we deplore the death of Mr. Weill, and that we inscribe upon the journal of this Assembly that he was an honorable and upright citizen, and that by his death the people of this State have lost the service of an intelligent legislator and a faithful public servant.

Resolved, That a copy of these resolutions, duly certified, be forwarded to the widow of the deceased, and out of respect to his memory this house do now adjourn.

Mr. Donnelly said:

It becomes my duty to announce the death of our former associate, the Hon. Solomon C. Weill, who represented the Nineteenth Assembly district from our city. In the death of Mr. Weill the citizens of this State have sustained a real loss, for the reason that he was well qualified in every way to perform any public function that could be assigned to him. He was above all a scholar; for, although a young man, he had held the position of professor of Greek in one of our southern universities; and when he turned his energies towards the study of the law his early habit of systematic study stood him in good stead, and he readily acquired the intricacies of that profession, and in a

very short time enjoyed a successful and lucrative practice in the city of New York.

It is not necessary for me to speak of his services in this House, as you are all familiar with them as I. We certainly must all deplore his sudden end, he having been cut down in the first blossom of his manhood, when all the world seemed so bright to him; and we can all join in sending this message of sympathy to his bereaved family at this time. I ask, Mr. Speaker, that this House do now adjourn until to-morrow morning at 11 o'clock, and that motion be taken by a standing vote.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted by a rising vote.

Whereupon, in conformity to said resolution the House at 9.15 o'clock p. m. adjourned to meet to-morrow at 11 o'clock a. m.

TUESDAY, JULY 12, 1898.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Forrest Hallenbeck.

On motion of Mr. Hill, the reading of the journal of yesterday was dispensed with and the same was approved.

On motion of Mr. Finn, indefinite leave of absence was granted to Mr. Wright on account of absence in the army of the United States.

On motion of Mr. Nixon, the House adjourned to meet to-morrow morning at 11 o'clock.

WEDNESDAY, JULY 13, 1898.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Forrest Hallenbeck.

On motion of Mr. Laimbeer, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Nixon, from the committee on ways and means, reported by bill in the words following:

AN ACT making an appropriation for the expenses of the National Guard and Naval Militia, and also for the National Guard and Naval Militia and Volunteers when called into service for the public defense or otherwise, and for the issue of bonds for such purposes." (Int. No. 1.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The sum of five hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purpose of defraying the expenses of the National Guard and Naval Militia of this state, and volunteers furnished by the state, or either of them, when called into service for the public defense or otherwise on the request or requisition of the president of the United States; and also for defraying the expenses, including the purchase of uniforms, arms and equipments, connected with enlistments to replace organizations or parts thereof of the national guard, or members thereof, which have or may become a part of the army of the United States, under any call for troops heretofore or hereafter issued by the president, or for the formation of new organizations of the national guard, or of the reserve militia of the state; but no part of the money hereby appropriated shall be expended unless the governor shall certify that in his opinion there is a necessity for using the same or a portion thereof, and in such case the same shall be paid by the treasurer on the audit and warrant of the comptroller.

§ 2. The comptroller is hereby authorized and directed to borrow from time to time not exceeding in the aggregate the sum of five hundred thousand dollars, for the expenses hereafter incurred under this chapter; and in addition thereto the amount necessary to meet the expenses heretofore incurred and audited by him for any purpose specified in this chapter, or in chapter one hundred and eighty-one of the laws of eighteen hundred and ninety-eight, and to issue bonds or certificates for the sums so borrowed under this section, payable within seven years from their date, bearing interest at a rate not exceeding four per centum per annum, which shall not be sold at less than par. The sums so borrowed are hereby appropriated for the purposes of this chapter and of chapter one hundred and eighty-one of the laws of eighteen hundred and ninety-eight, payable out of the moneys realized from the sale of said bonds or certificates. Any

premium arising from the sale of bonds shall be applied to the sinking fund created for the purpose of paying the same, and interest thereon as the same becomes due. If the government of the United States shall reimburse the state, in full or in part, for expenses covered by the above appropriations, the moneys received shall be applied exclusively to the payment of said bonds and interest, or to the sinking fund created for the payment thereof.

§ 3. This act shall take effect immediately.

Which report was agreed to, and said bill ordered printed and placed on the order of second reading.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Kelly, the privileges of the floor was extended to Hon. Simon W. Rosendale, of Albany.

Mr. Nixon moved that when the House adjourns it be until to-morrow morning at 11 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Evarts offered for the consideration of the House a resolution, in the words following:

Whereas, The Assembly learns with deep regret of the death of the Hon. Edmund L. Pitts, formerly a member and Speaker of this body. Mr. Pitts was one of the youngest of the distinguished men who have filled the chair of Speaker of the Assembly; he was subsequently Senator and temporary President of the Senate; and in every public position to which he was called he did his duty well; in his career he exemplified many of the best characteristics of American citizenship; he was able, he was upright, he was wise; few men acquitted themselves more honorably in public life and no man performed more faithfully the duties of a private citizen.

Resolved, That as a tribute to his memory, the Assembly do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolution and it was unanimously adopted by a rising vote.

Whereupon, in conformity to said resolution, at 11.20 o'clock a. m., the House adjourned, to meet to-morrow morning at 11 o'clock.

THURSDAY, JULY 14, 1898.

The House met pursuant to adjournment.

Prayer by Rev. R. E. Stewart.

On motion of Mr. Lowenthal, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Armstrong, from the committee on the judiciary, reported by bill in the words following:

AN ACT to amend section forty-one-k of the penal code relative to elections. (Int. No. 4.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision three of section forty-one-k of the penal code is hereby amended to read as follows:

3. Wilfully and unlawfully obstructs, hinders or delays, or aids or assists in obstructing or delaying any elector on his way to a registration or polling place, or while he is attempting to register or vote, or not being entitled to vote in an election district, takes a place in or becomes a part of a line, group or assemblage of voters awaiting opportunity to vote in such election district; or

§ 2. This act shall take effect immediately.

Which report was agreed to, and said bill ordered printed and placed on the order of second reading.

Mr. Armstrong, from the committee on the judiciary, reported by bill in the words following:

AN ACT to provide the manner in which, and the time and place at which the qualified voters of the state absent from their respective election districts, in time of war, in the actual military service of this state or of the United States, in the army or navy thereof, may vote; and for the return and canvass of their votes in the election districts in which they respectively reside, and making an appropriation therefor. (Int. No. 2.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Time of election.—Whenever, in time of war, any qualified elector of this stateshall be in the actual military service of this state or of the United States, in the army or navy thereof,

and by reason thereof absent from his election district, such absent elector shall be entitled to vote as fully as if he were present at his place of residence in the manner hereinafter provided.

§ 2. General register of absent electors.—It shall be the duty of the secretary of state to prepare and make a general register in which shall be enrolled in alphabetical order the names of the electors of this state absent from their respective election districts in time of war in the actual military service of this state or of the United States in any army or navy thereof. Such general register shall contain the name and residence, by street and number if any, the name of the county and city or town in which each such absent elector resides, so far as he can ascertain the same. It shall also contain the name or number or other designation of the regiment, company, troop, vessel or other command to which each such absent elector is attached or assigned, and the location of such command at the time of such entry, so far as he can ascertain the same. In order to secure the necessary information to make and complete such general register, it shall be the duty of the secretary of state to prepare proper blanks and forward the same to the commanding officer of each command in which there are any such absent electors of this state, to be filled out with the necessary information, attested by him, and returned forthwith, securely sealed, to the secretary of state. Such general register shall be a public record and shall at all reasonable times be open for inspection by any elector of this state. It is hereby made the duty of every public officer, and of every citizen, to render such assistance and information as he may possess, to the secretary of state, of all the facts relating to such absent electors; and any person who shall refuse so to do, or wilfully furnish false information in reference to such absent electors, shall be deemed guilty of a felony and shall, upon conviction thereof, be punished by imprisonment in a state prison for not less than one year nor more than three years.

§ 3. Poll-books and oaths.—It shall be the duty of the secretary of state to cause to be prepared and printed in book form a sufficient number of poll-books, at least two books for each poll, for the use of the inspectors of elections at the polls of the elections held under the provisions of this act. Such poll-books shall be in the general form of those prescribed for use at elections in this state, omitting all columns except those for the number, name and residence of each elector, so arranged that there can be entered therein, in addition to such entries, in separate columns, the name of the county and city or town in which the persons

voting at such poll reside or claim to reside; and also the designation of the particular command to which each such person is attached or of which he forms a part. Upon the first page of each such poll-book shall be printed the date and character of the election for which it is prepared, and blank spaces in which shall be written by the inspectors the place at which the poll was held, and the names and residences of the persons acting as inspectors of election thereat. Upon the page, following the last page of each such poll-book used for recording the names of voters at such poll, shall be printed a blank certificate, to be signed by the inspectors of election at the close of the polls. Such certificate shall be substantially in the following form:

“We, the inspectors of election for the general (or special) election held at (here follows the name of the place) on the day of, 18.., do hereby certify that the names of the persons enrolled herein as having voted at such election, such persons numbering in all (here follows the number in figures and words) are all the persons who appeared before us and demanded to vote at such election, and took the oath required, and who voted at such election.

.....

Inspectors of election.”

§ 4. Official ballots.—It shall be the duty of the secretary of state to cause to be prepared and printed at least twice as many official ballots in the form hereinafter prescribed as there are electors absent from their respective election districts as shown by such general register. Each such official ballot shall be six inches wide and of such length as to allow one-quarter of an inch for the title of each office printed upon the face thereof and one-half inch for the name of each candidate for such office as the elector may lawfully vote for and one-half inch for the title of each class of offices. Each class of offices shall be separated by a solid black line one-eighth of an inch in depth running across such ballot. All ballots shall be uniform in size and style of type used and shall contain the titles of all offices, as near as may be, for which any elector may vote in any election district of the state at such election. The type and paper for such ballots shall conform generally to that used for the general official ballots prescribed by the election law of this state. Such ballot shall be printed in substantially the following form:

STATE OFFICES.

For Governor.

For Lieutenant-Governor.

JUDICIAL OFFICES.

For Associate Judge of the Court of Appeals.

For Justice of the Supreme Court for Judicial District.

LEGISLATIVE OFFICES.

For Representative in Congress for Congressional District.

For State Senator for Senate District.

For Member of Assembly for District of County.

COUNTY OFFICES.

For Sheriff of County.

For District Attorney of County.

CITY OFFICES.

For Mayor of the City of

WARD OR TOWN OFFICES.

For Supervisor of Ward or Town of

For Justice of the Peace, Town of

ELECTION DISTRICT OFFICES.

For Inspectors of Election for Election District, Town of

§ 5. Provision for official envelope.—He shall also cause to be prepared and printed at least twice as many official envelopes as there are electors absent from their election districts, as shown by such general register. Such envelopes shall be gummed, ready for sealing. Upon one side of such envelope shall be printed in substantially the following form the following:

OFFICIAL WAR BALLOT

FOR

GENERAL ELECTION, NOVEMBER, 189 .

Name of Elector.....
 Residence (street and number, if any).....
 County of
 City or Town of

.....
 Secretary of State.

Upon the other side of such envelope shall be printed the following oath:

“OATH OF ELECTOR.”

“I do swear (or affirm) that I have been a citizen of the United States for ninety days and am now of the age of twenty-one years, or will be on the..... day of, 18..; that I have been an inhabitant of the state of New York for year next preceding this election and for the last four months a resident of the county of, and am a qualified elector, residing at, in the (city or town of); that I am in the actual military (or naval) service of the state of New York or of the United States, and at present attached to (here state the particular command to which attached); and that I have not received or offered, do not expect to receive, have not paid, offered or promised to pay, contributed, offered or promised to contribute to another, to be paid or used, any money or other valuable thing, as a compensation or reward for the giving or withholding of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote, and that I have not made or become directly or indirectly interested in any bet or wager pending upon the result of this election, and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned and restored to all the rights of a citizen.”

If at such election any proposed amendment to the constitution or other proposition or question is to be submitted to the vote of the electors of the state, the secretary of state shall furnish an equal number of ballots for questions so submitted in the form prescribed by section eighty-two of the election law.

§ 6. Delivery of official war ballots, poll-books and envelopes.—The secretary of state shall cause to be delivered to the commanding officer of every command in which ten or more electors of this state are included, absent from their respective election

districts in time of war in the actual military service of this state or the United States in the army or navy thereof, a sufficient number of official war ballots of each kind; at least twice as many as there are such electors in such command; and two poll-books for the use of such electors at each poll of each election held under the provisions of this act and at least twice as many official envelopes as there are such electors in such command. Such official war ballots, poll-books and envelopes shall be delivered in time for use at the election for which they are prepared, in such manner and by such means as shall in the judgment of the secretary of state be deemed best suited to secure their safe and timely delivery for the use of the electors at the election for which they have been prepared.

§ 7. Lists of nominations.—It shall be the duty of each county clerk or board with whom or which certificates of nominations of public officers are filed to cause a certified list of such nominations to be forthwith forwarded by mail to the secretary of state, including the name and residence of each such nominee together with the title of the office for which he is nominated and the party or other political name specified in such certificate of nomination. It shall be the duty of the secretary of state after the receipt by him of such certified lists of nominations to communicate so far as practicable, to each commanding officer of any command having therein ten or more electors of this state absent from their respective election districts in time of war, in the actual military service of this state or the United States in the army or navy thereof, the name and residence of each person named in any certificate of nomination so certified by a county clerk or filed in the office of the secretary of state, together with the title of the office for which he is nominated and the party or other political name specified in such certificate of nominations; and upon receipt thereof each such commanding officer shall cause such information to be posted in a conspicuous place for the information of such absent electors in his command.

§ 8. Polls of election.—Polls of an election held under the provisions of this act shall be opened on the day of such election at the quarters of the captain or other commanding officer of any company, troop or other command in the military service of this state or of the United States in the army or navy thereof, whether the same be composed in whole or in part of residents of this state. All qualified electors of this state in such command may vote at such poll. Officers and enlisted men, electors of this state, attached to or forming part of a command having therein less than ten such electors, or who shall be detached by military order and absent from their command, may vote at such other poll as may be most convenient for them.

§ 9. Opening of the polls.—Any election held under the provisions of this act shall be held upon the day of the general or special election in this state, or on any secular day within twenty days next prior thereto, such prior day to be fixed by the commanding officer of any command where the poll or polls for such election shall be held, by proclamation duly made; provided, however, that if by reason of the exigencies of war such election cannot be held in any of the polls herein provided on the day so fixed, such election may be held on the next day practicable thereafter upon like proclamation of the commanding officer of any such command; but such election shall not be held later than the day of such general or special election. Such polls shall be opened at such hour of the day as shall be most convenient for such electors and shall remain open not less than three hours and as much longer as shall, in the opinion of the inspectors of election serving at such polls, be necessary in order to receive the votes of all electors of this state entitled to vote at such polls; but no polls shall be kept open later than sunset of the day on which such election shall be held. The inspectors shall at the opening of such polls make public proclamation of the opening thereof and the time at which such polls shall be closed, and as near as may be, at one hour before the closing of the polls, public proclamation shall again be made by the inspectors that the polls will be closed at a time certain then proclaimed, which shall be the hour announced in the proclamation made at the opening of the polls. The polls shall not for any reason be kept open after the hour fixed by the first proclamation.

§ 10. Organization of the polls.—At the hour and place herein provided for the opening of the polls, the qualified electors of this state then present shall, by viva voce vote, select four of their own number to act at such election as the inspectors of election thereof. Such inspectors shall, so far as possible, be so selected that they shall equally represent the two political parties of this state which at the last preceding election in this state polled the highest and next highest number of votes respectively. Such inspectors, when so selected, shall choose one of their number as chairman of the board of inspectors by election or by drawing lots. Such chairman shall then administer the oath of office to the other inspectors and one of the other inspectors shall then administer the same to the chairman. The oath to be administered shall be as follows:

“I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the state of New York, and that I will faithfully discharge the duties of the office of inspector of election according to the best of my ability.”

Such oath or affirmation shall be written or printed, or partly written and partly printed, and attached to or entered upon the poll-books used at such election, after being subscribed by the person taking the same, and certified to by the person administering the same. Immediately upon the organization of such board of inspectors the commanding officers to whom shall have been delivered any official war ballots, poll-books and envelopes shall deliver the same to the inspectors of election of such election and shall take a receipt therefor, which receipt shall be forwarded by mail by such commanding officer to the secretary of state. The said inspectors shall produce and have at the polls, before any votes are taken by them, a box for the reception of the ballots to be voted at such election. Before proceeding to take any votes they shall open said box and publicly exhibit the inside thereof, and the same shall be entirely empty. They shall then close and securely fasten the same and the said box shall not be opened again until the close of the polls at such election. Each such box shall have an opening in the top thereof for the reception of voted ballots. The chairman of the board of inspectors shall have charge of the ballot-box during the election and shall receive from the qualified electors their envelopes containing ballots and shall deposit them in the ballot-box. He shall designate two other inspectors, of opposite political faith, if possible, to keep the poll-books of such election. The remaining inspectors shall have charge of the official ballots and envelopes and shall deliver the same to the qualified electors entitled to vote at such election.

§ 11. Conduct of election.—The election shall be by ballot. Before any person shall receive an official ballot or be permitted to vote, he shall make and subscribe the oath printed upon the official envelope, as provided by this act, and any member of said board of inspectors is hereby authorized to administer and attest such oath. If any elector shall refuse to take the oath so tendered he shall not be allowed to vote; but if he shall take the oath tendered him his vote shall be accepted. Upon taking the oath required, the elector shall give to the inspectors keeping the poll-books, who shall enter upon such poll-book, kept by each of them, his name and residence by street and number, if any, county and city or town. He shall also give such other information as is required to be entered in such poll-book. When such elector gives such information to such inspectors, the inspector having charge of the ballots and envelopes shall write in the proper blank spaces upon such official envelope the name and residence by street number, if any, of such elector, and the county, and the city or town in which he claims to reside, and shall deliver such ballot or ballots and such envelope, to such elector. Such elector

shall then retire to some convenient place and shall prepare his ballots and envelope for voting. The elector may write or paste upon his ballot the name of any person for whom he desires to vote for any office for which such elector may lawfully vote at such election. Any such elector may paste upon such ballot a printed ballot of his own selection or preparation, to be known as a paster ballot containing the titles of all the offices to be filled and the names of the candidates therefor for whom he desires to vote and be entitled to vote at such election. Such paster ballot may be gummed and the elector may paste the whole or any part of such paster ballot upon the official ballot. Any name so written or pasted upon the official ballot shall be deemed the choice of the elector. All pasters shall be of white paper and printed in type uniform with that required to be used upon the official ballot and printed in plain black ink. A paster shall be so attached to the ballot that when the ballot is folded no printed portion of such paster shall be visible. After preparing his ballot and before delivering the same to the chairman of the board of inspectors, the elector shall fold his ballots in such a way that the contents of the ballot shall be concealed and enclose the same in such envelope which he shall securely seal. He shall then deliver such envelope to the chairman of the board of inspectors; but before such envelope shall be deposited in the ballot-box the chairman shall declare from such envelope the name of such elector and his residence by street and number, if any, county and city or town, and if such elector is entitled to vote and such envelope is securely sealed and his name and the other matter hereby required, is recorded upon the poll-books the inspector keeping such poll-books shall announce the same as correct and shall record such elector as voting. The chairman shall thereupon deposit such envelope containing such ballot or ballots in the ballot-box. If, for any cause, the official ballots, poll-books and envelopes shall not be provided as required by law at any polling place, upon the opening of the polls for any election thereat, or if the supply of official ballots or envelopes shall be exhausted before the polls are closed, unofficial ballots, poll-books and envelopes printed or written, made as nearly as practicable in the form of the official ballot, poll-books and envelopes may be used.

§ 12. Count of the votes.—As soon as the polls of an election are closed, the inspectors of election thereat shall publicly open such ballot-boxes and count and ascertain the number of electors voting and not adjourn or postpone the count until it shall be fully completed. The board of inspectors shall commence the count by comparing the two poll-books used at such election, correcting any mistakes therein, and by counting the envelopes

containing ballots found in the ballot-boxes without opening them, and by comparing the envelopes containing ballots found in such box with the number shown by the poll-books to have been deposited therein. The inspectors shall number each elector whose name is recorded in such poll-books as having voted beginning with the first name entered therein and numbering the same in consecutive order and shall fill out and sign the certificate required to be made by them as to the whole number voting at such election. If the envelopes containing ballots found in such box shall be more than the number of such envelopes so shown by the poll-books to have been deposited therein the inspectors shall compare the names upon such envelopes with the names recorded in such poll-books and all such envelopes so found in said ballot-box purporting to have been deposited therein by an elector whose name is not duly entered in such poll-books as herein provided, shall with their contents be immediately destroyed, without opening the same; and if more than one such envelope shall be found in said ballot-box purporting to have been deposited therein by the same elector, then all such envelopes and their contents purporting to have been deposited in such ballot-box by such elector shall be destroyed. No such envelope that has not the official endorsement as herein provided shall be counted. At the completion of the count the inspectors shall certify the correctness of the same upon the poll-books and shall publicly announce the result of such count. The inspectors shall thereupon enclose all such envelopes containing ballots without opening the same, in a sealed package with one of said poll-books and shall direct them to the secretary of state, at Albany, New York, and shall forward the same by mail, express or messenger to him as soon as possible after such election. The other of such poll-books shall be sealed in an envelope directed to the governor of the state of New York, at Albany, New York, and shall be forwarded forthwith to him by mail, express or messenger, but by different hands, if possible, from those carrying such envelopes containing ballots and such poll-books, so directed to be forwarded to the secretary of state; receipts therefor, respectively, being taken by the chairman of the board of inspectors.

§ 13. Returns not to be rejected because of informality of election.—No mere informality in the manner of carrying out or execute the provisions of this act shall invalidate the election held under the same or authorize the rejection of the returns thereof; and the provisions of this act shall be liberally construed for the purposes herein expressed or intended.

§ 14. Disposition of envelopes and ballots.—Upon the receipt by the governor of the poll-books of the votes cast at any such

election, he shall deliver the same to the secretary of state. The secretary of state shall upon receipt of the packages open the same and compare the poll-books with the envelopes containing ballots received by him and with the poll-books, if any, received from the governor. He shall forthwith prepare from said poll-books and envelopes a separate statement for each county under his official seal in which shall appear all the information hereby required to be entered in such poll-books, concerning the electors resident in such county. He shall affix his seal of office to each such envelope and shall transmit such statement with all the envelopes containing ballots of such electors resident in such county, to the clerk of each such county, who shall forthwith give written notice of such receipt by him, to the board of inspectors of election of each district to which they respectively relate, by enclosing such notice in a properly sealed wrapper addressed to the chairman of such board at his post-office address and by paying the postage thereon. It shall also be the duty of each county clerk, after the receipt of such statements and envelopes, to prepare a separate statement in like form for each election district in said county in which any such elector shall reside, and to transmit or deliver such statement with the envelopes containing ballots of electors resident in such election district to one of the inspectors of election of said district, on the day before the board of inspectors of election of said district shall convene for the purpose of canvassing such votes, as herein provided, who shall deliver the same to such board. The board of inspectors in any election district wherein any such ballots are to be canvassed, shall convene at the place where the election was held, on the sixth Tuesday after the election day at ten o'clock in the forenoon to canvass such votes. It shall be the duty of each board of inspectors of election immediately upon their convening as herein provided, to open said polls; and the chairman thereof, or in his absence, such other member as shall be chosen to act as chairman, as provided by law, shall publicly read aloud the indorsement contained upon each such envelope, and if such elector shall be a qualified elector in such election district, the chairman or acting chairman, shall then carefully open said envelope and without unfolding or inspecting the contents of such ballot or ballots, except so far as to determine whether more than one ballot for the same offices, amendment or question is contained therein, shall deposit the same in the ballot-box or boxes, if more than one. If any such envelope shall contain more than one ballot for the same offices, amendment or question, all such ballots shall be rejected. Said inspectors shall file all such envelopes with their return in the

office of the county clerk of the county where the said election district is situated. If upon investigation made before the deposit of said ballot it be found that such elector is not a qualified elector in said election district, his said ballot or ballots shall be destroyed without unfolding or inspecting the same, and the said envelope shall be filed as above provided.

§ 15. Canvass by election district and county canvasser.—After all such ballots shall have been cast, said inspectors of election shall immediately proceed to canvass the same, and make a statement and return thereof as provided by law, and forthwith forward the same to the county clerk, by one of their number. The county board of canvassers or such other board as performs like duties, shall convene on the sixth Thursday after the election day, at their usual place of meeting at one o'clock in the afternoon, for the purpose of canvassing such statement and returns.

§ 16. Canvass by county board.—At such meeting of the county or other canvassing board the said board shall proceed to canvass such statements and returns of the respective election district boards of canvassers and shall from such statements and returns, together with the statements and returns theretofore made of such election, make new and separate statements of the votes cast in such county or any part thereof, and they shall not, until such meeting, determine the result of the election, anything now provided by law to the contrary notwithstanding, and shall complete their canvass and make the statements provided for by section one hundred and thirty-five of the general election law. Such meeting or meetings of the board of county canvassers shall be deemed a continuation of its regular session.

§ 17. Canvass by state board.—If any such new statements and returns shall be made by a county board after the time fixed by law for the canvass of the regular statements of the county boards by the state board of canvassers, the state board of canvassers shall convene upon notice by the secretary of state and shall proceed to canvass such new statements and returns of a county board, and their original canvass, if any, shall be corrected accordingly. If such new statements and returns shall alter the previously apparent result of the election for any office, the state board of canvassers shall cause a determination of such result to be made in accordance with such new statements and returns and shall issue certificates of election to the persons who are thereby shown to have been elected to office thereby. And they shall not, until such meeting, determine the result of the election, anything now provided by law to the contrary notwithstanding.

§ 18. Return not made and filed prior to December twenty-ninth in any year not to be canvassed.—No return, as provided by this

act, which shall not have been duly made and filed with the state board of canvassers prior to the twenty-ninth day of December next succeeding such election in any year, shall be canvassed or affect the result of such an election; and no return not received and canvassed by a county board of canvassers at their meeting herein provided for shall be thereafter canvassed.

§ 19. Provisions of penal code relating to crimes against the elective franchises to apply.—All the provisions of the penal code relating to crimes against the elective franchise shall be deemed to apply to all elections held under the provisions of this act, and any person who shall violate any such provisions may be indicted at any time in any county of this state and may be fined or imprisoned or both so fined and imprisoned upon conviction thereof whenever found in this state.

§ 20. Filling vacancies in the office of inspectors of elections.—It shall be lawful for a majority of the inspectors of election provided for by this act to execute all the trusts and duties required to be executed by the inspectors herein provided for. And if for any cause, after the inspectors of election hereinbefore provided for shall have been chosen, any of the said inspectors shall permanently absent himself from the place of holding such election, or shall from any cause be obliged permanently to leave the place of holding such election, the remaining inspectors or the electors present may fill such vacancy, and any person so appointed to fill such vacancy shall take the oath of office and shall thereupon continue with the other inspectors to perform the duties of such officers at such election to the end thereof.

§ 21. Elections may be contested.—All elections held under this act shall be subject to contest and inquiry in the same manner as elections held within this state. The sealed packages of voted ballots and detached stubs shall be held inviolate in the office in which they are filed, subject to the order of a court of competent jurisdiction and may upon such order of such court be opened and canvassed.

§ 22. General provisions of the election law to apply.—The several officers or persons authorized by the provisions of this act to conduct the elections held by virtue thereof shall have the like powers, and they, as well as other persons who may be candidates for office at such election, or who may attend such election, or may vote or offer to vote at such election, shall be subject to the like penalties and restrictions as are declared and provided by law in case of elections within this state, and all provisions of the general election law of this state, as far as applicable and not inconsistent with the provisions of this act shall apply to elections held under this act.

§ 23. Copies of this act to be published and distributed.—The secretary of state shall, immediately upon the passage of this act, cause the same to be published in pamphlet form, properly indexed, and shall cause the same to be as generally as may be circulated among the electors of this state absent from their respective election districts in time of war in the actual military service of this state or of the United States, in the army or navy thereof. The secretary of state shall also provide in addition to the necessary official ballots, poll-books and envelopes, such other blank forms, envelopes and other stationery for use at each poll of any election held under this act, as may be necessary for the proper conduct of such election, and shall transmit them to the proper place and to the proper persons in ample time for their safe delivery and use at such election. He may procure any of the printing and supplies required by this act wherever he deems it desirable for the best interests of the state. He shall also provide for the returns of such election to him at the expense of this state.

§ 24. The sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act.

§ 25. This act shall take effect immediately.

On motion of Mr. Armstrong, and by unanimous consent, said bill was read the second time and ordered to a third reading.

Mr. Armstrong, from the committee on the judiciary, reported by bill in the words following:

AN ACT to create a metropolitan elections district; provide for the appointment of a state superintendent therein, and to prescribe his powers and duties. (Int. No. 3.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The counties of New York, Kings, Queens, Richmond and Westchester are hereby constituted a metropolitan elections district for the purpose of all elections for state officers hereafter to be held therein.

§ 2. The governor, within ten days after this act takes effect, shall appoint an officer, by and with the advice and consent of the senate, to be known as "the state superintendent of elections for the metropolitan elections district." He shall be a resident of one of the aforesaid counties and shall hold office for the term ending December thirty-first, nineteen hundred and two. His

successor shall be appointed for the full term of four years, and all terms shall expire on the thirty-first day of December. Vacancies shall be filled for the remainder of the unexpired term. Such superintendent may be removed from office in the same manner as a sheriff. He may appoint a chief deputy without nomination, a clerk and a stenographer, and remove them at pleasure.

§ 3. Such state superintendent of elections and each deputy appointed by him, shall possess and exercise all the powers vested in a sheriff, as a conservator of the peace, either by statute or common law.

§ 4. Such superintendent may appoint not exceeding six hundred deputy superintendents of elections for the metropolitan elections district for service in the counties mentioned in the first section of this act, and administer to them the oath of office. On or before the fifteenth day of August said state superintendent shall notify the chairman of each county committee representing a political party in such county in said metropolitan elections district entitled to representation in local election boards therein, that each such party is entitled to nominate one-half the number of deputies to be appointed, and shall in such notification specify the number to be nominated by the party so notified, and that written nominations for such appointment will be received by him on or before a specified date. A deputy state superintendent must possess the qualifications of election officers required by the election law, except that he need not be a resident of the election district in which he serves. Each such chairman of a county committee may present to the state superintendent a list containing twice the number of names specified in the notice given by the superintendent to the said chairman, and appointments shall be made from such lists. One-half of the appointments so made shall be made from each of the parties making such nominations, provided, however, that all persons so appointed shall possess the qualifications required by law. If nominations are not made, or if any of the persons nominated by such committees do not possess the required qualifications, the state superintendent shall appoint such deputies from members of the party entitled to nominate the same, without nomination.

The term of office of a deputy superintendent appointed under this section shall expire on the thirty-first day of December of the calendar year in which he is appointed.

§ 5. The superintendent, whenever he deems it necessary, may appoint, without nomination, and at pleasure remove, not more than one hundred additional deputies, to be employed by him in

enforcing the provisions of this act. Deputies appointed under this section shall not as such be entitled to attend at the polling places on election day, but in all other respects possess the same powers and are charged with the same duties as other deputies appointed under this act.

§ 6. All deputies appointed under this act shall be subject to the direction and control of the state superintendent, and he may assign them to any election district in the metropolitan district. Such deputies when directed by the state superintendent shall, or on their own motion, or on complaint of any citizen of the state may:

1. Investigate all questions relating to registration of voters, and for that purpose shall have power to visit and inspect any house, dwelling, building, inn, lodging-house or hotel within the metropolitan district, and interrogate any inmate, house-dweller, keeper, care-taker, owner, proprietor or landlord thereof or therein, as to any person or persons residing or claiming to reside therein or thereat.

2. Arrest any person without warrant who in his presence violates or attempts to violate any of the provisions of the election law or the penal code relating to crimes against the elective franchise.

3. Execute warrants of arrest and take into custody the person or persons named in such process.

4. Inspect and copy any books, records, papers or documents, relating to or affecting the registration of electors at the election.

5. Require every lodging-house keeper, landlord or proprietor to exhibit his register of lodgers therein at any time to such deputy.

Any person who neglects or refuses to furnish any information required or authorized by this section, or to exhibit records, papers or documents herein authorized to be inspected, or which are required to be exhibited, shall be guilty of a misdemeanor.

§ 7. The state superintendent, or any deputy, may call on any person to assist him in the performance of this duty; and he may also call on any public officer who by himself or his assistants, deputies or subordinates shall render such assistance as may be required. Any such person, public officer, deputy or subordinate who shall fail on demand by the state superintendent or any deputy to render such aid and assistance in the performance of his duty as he shall demand, or who shall wilfully hinder or delay, or attempt to hinder or delay such superintendent or deputy in the performance of his duty, shall be guilty of a felony, and shall upon conviction thereof be sentenced to imprisonment in a state prison for a period of not more than three

years; and if a public officer, shall, in addition to such imprisonment, forfeit his office. A member of a uniformed police force shall, for the purposes of this act, be deemed a public officer.

§ 8. The state superintendent may attend at any election, and each deputy superintendent shall, on election day, attend the election at the polling place to which he is assigned. The state superintendent shall assign an equal number of deputies from each of the parties entitled to nominate deputy superintendents at every polling place where such deputies are assigned by him. The state superintendent and each deputy shall be admitted at any time within any polling place and within the guard rails thereof. It shall be the duty of the superintendent and of each deputy during the election to preserve order and arrest any person violating or attempting to violate the election law or any provision of the penal code relating to the elective franchise.

§ 9. It shall be the duty of every proprietor, lessee or keeper of a lodging-house in the metropolitan election district to make a sworn daily report from and beginning thirty days before the election next ensuing to the said superintendent of elections to and including the day prior to the day of such election, which report shall contain the names of the lodgers therein during the twenty-four hours preceding the making of such return, and such other facts regarding them as is now required by law to be stated in the sworn fortnightly return of such lodging-house proprietor, lessee or keeper to the local board of health in cities of the first class. Any such proprietor, lessee or keeper who shall violate this provision shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars for each such violation.

§ 10. In any city within the metropolitan district, the board of inspectors of each election district shall immediately at the close of each day of registration make and complete one list of all persons enrolled in their respective districts, in the numerical order of the streets and numbers thereof, which list shall be signed and certified by the board of inspectors. Such list shall be delivered forthwith by the chairman of the board of inspectors to the state superintendent of elections at his office.

§ 11. The state superintendent of elections may remove at any time for cause a deputy appointed by him and shall employ in his place a member of the same political party, which appointment shall be made in the same manner as the original appointment. This section shall not apply to the chief deputy superintendent, nor to the deputies authorized in section five of this act.

§ 12. The annual salary of the state superintendent of elections

shall be five thousand dollars; of his chief deputy, three thousand five hundred dollars; of the clerk, fifteen hundred dollars; of the stenographer twelve hundred dollars; payable monthly. Each deputy, except the chief, shall receive five dollars for each day's service, not exceeding forty days prior to and including election day, for any one election, to be paid on the certificate of the superintendent or chief deputy. All salaries and other compensation provided by this section shall be paid by the state treasurer on the warrant of the comptroller. The state superintendent may provide an office for his use and furnish it with needed furniture, stationery and supplies, and expend for such purposes and for his disbursements and expenses in discharging his duties and in carrying out the provisions of this act, not exceeding seven thousand dollars each year, to be paid by the state treasurer on the audit and warrant of the comptroller.

§ 13. The state superintendent of elections shall annually in the month of December file with the governor a report showing the names and residences of the persons appointed by him as deputies during the year, the number of days each has served, the compensation certified for each, the number of arrests made for violation of the election law or the penal code, the names of the persons arrested, the nature of the offense charged, the disposition thereof, and any other facts in relation to the administration of his office which the state superintendent may deem proper or which may be required by the governor. He shall make such rules for the control and conduct of his deputies as he may deem advisable not in conflict with law.

§ 14. All acts and parts of acts, general, local or special, inconsistent with the provisions of this act, are hereby repealed.

§ 15. This act shall take effect immediately.

Mr. Hoffman moved to recommit said bill to the committee on the judiciary for a hearing.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 75 }
{ NOES 63 }

Those who voted in the affirmative, were

Addis	Cross	Hill	McLaughlin	Stedman
Adler	Davis	Hoes	Miles	Stoneman
Allds	DeGraw	Holbert	Miller	Taylor

Armstrong	Delaney	Ives	Murphy	Ten Eyck
Axtell	Dutton	Johnson	Nixon	Tiffany
Baker	Eldridge	Kavanaugh	Patton	Tremper
Bondy	Ellis	Kelsey	Perkins	Tripp
Brewster	Evarts	Laimbeer	Peterson	Van Rens'aer
Burr	Fish	Litchard	Pierce	Vincent
Clark A L	Fordyce	Lowenthal	Raplee	Wallace
Clark C J	Fuller	Marshall	Russell	Weekes
Costello	Goodsell	Martin	Sears	Whipple
Cottle	Greenwood	Mason	Simmons	Williams
Coughtry	Hatch	Matteson	Sloan	Witter
Cowles	Hays	McEwan	Smith E LaG	Zimmerman

Those who voted in the negative, were

Ackert	Fitzgerald	Hutton	Oliver	Schulum
Boland	Fritz	Kelly	Palmer	Seligsberg
Brennen J F	Gale	Kullman	Phillips	Shoeneck
Cain	Gallagher	Mahar	Pickett	Sinsheimer
Collins	Glaser	Maloney	Redington	Stewart
Crabtree	Green	McGuire	Reisert	Streifler
Cullen	Griggs	McKeown	Roche	Sullivan
Dale	Guider	Myers J C	Sage	Tompkins
Dillon	Hachemeis'r	Mitchell	Sanford	Trainor
Donnelly	Haight	Mohring	Schmid A F	Van Hoesen
Egan	Harburger	Mullany	Schmid F	Vroman
Farrell	Hoffman	Murray	Schultz	Wicke
Finn	Hubbard	O'Connor		

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hoffman, and it was determined in the negative.

{ AYES 62 }
{ NOES 75 }

Those who voted in the affirmative, were

Ackert	Fritz	Kelly	Oliver	Schulum
Boland	Gale	Kullman	Palmer	Seligsberg
Cain	Gallagher	Mahar	Phillips	Shoeneck
Collins	Gibney	Maloney	Pickett	Sinsheimer
Crabtree	Glaser	McGuire	Redington	Stewart
Cullen	Green	McKeown	Reisert	Streifler
Dale	Guider	Meyer G W	Roche	Sullivan
Dillon	Hachemeis'r	Mitchell	Sage	Tompkins
Donnelly	Haight	Mohring	Sanford	Trainor
Egan	Harburger	Mullany	Schmid A F	Van Hoesen

Farrell	Hoffman	Murray	Schmid F	Vroman
Finn	Hubbard	O'Connor	Schultz	Wicke
Fitzgerald	Hutton			

Those who voted in the negative were:

Addis	Cowles	Hill	Miles	Stedman
Adler	Cross	Hoes	Miller	Stoneman
Allds	Davis	Holbert	Murphy	Taylor
Armstrong	DeGraw	Ives	Nixon	Ten Eyck
Axtell	Delaney	Johnson	Patton	Tiffany
Baker	Dutton	Kavanaugh	Perkins	Tremper
Bondy	Eldridge	Kelsey	Peterson	Tripp
Brennan E C	Ellis	Laimbeer	Pierce	Van Rens'aer
Brewster	Evarts	Litchard	Post	Vincent
Burr	Fordyce	Lowenthal	Raplee	Wallace
Clark A L	Fuller	Marshall	Russell	Weekes
Clark C J	Goodsell	Mason	Sears	Whipple
Costello	Greenwood	Matteson	Simmons	Williams
Cottle	Hatch	McEwan	Sloan	Witter
Coughtry	Hays	McLaughlin	Smith E La G	Zimmerman

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Egan	Ives	Patton	Sloan
Adler	Ellis	Johnson	Perkins	Smith E La G
Allds	Evarts	Kelsey	Phillips	Stewart
Axtell	Farrell	Kullman	Pickett	Stoneman
Baker	Finn	Litchard	Pierce	Streifler
Boland	Fitzgerald	Lowenthal	Post	Taylor
Brewster	Fordyce	Mahar	Raplee	Ten Eyck
Burr	Glaser	Maloney	Redington	Tiffany
Cain	Goodsell	Marshall	Reisert	Trainor
Clark A L	Green	Mason	Roche	Tremper
Clark C J	Greenwood	McEwan	Russell	Tripp
Collins	Griggs	McGuire	Sage	Van Hoesen
Costello	Hachemeis'r	Meyer G W	Sanford	Van Rens'aer
Cottle	Haight	Miles	Schmid A F	Vincent
Cowles	Harburger	Miller	Schmid F	Vroman
Crabtree	Hatch	Mitchell	Schultz	Wallace
Cross	Hays	Mohring	Schulum	Weekes

Cullen	Hill	Murphy	Sears	Whipple
Davis	Hoes	Murray	S ligsberg	Wicke
Delaney	Holbert	Nixon	Shoeneck	Williams
Dillon	Hubbard	O'Connor	Simmons	Witter
Donnelly	Hutton	Oliver	Sinsheimer	Zimmerman
Dutton				112

The Clerk furnished a list of absentees to the Sergeant-at Arms, who appeared in due time before the bar of the House, with Messrs. Addis, Fuller, McKeown, Gale, Dale, Stedman, Bondy, Laimbeer, DeGraw, Fish, McLaughlin, Hoffman, Armstrong, Eldridge, J. F. Brennen, Gallagher, Fritz, Tompkins, Martin, and Matteson, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to the said motion, and it was determined in the affirmative.

A communication was received from the Governor, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill, Int. No. 3, entitled "An act making an appropriation for the expenses of the National Guard and Naval Militia, and also for the National Guard and Naval Militia and Volunteers when called into service for the public defense or otherwise, and for the issue of bonds for such purposes."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this thirteenth day of
[L. s.] July, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH.

Private Secretary.

The Senate sent for concurrence, the bill (No. 4.), entitled "An act making an appropriation for the expenses of the National Guard and Naval Militia, and also for the National Guard and Naval Militia and Volunteers when called into service for the public defense or otherwise, and for the issue of bonds for such purpose" (Rec. No. 1), which was read the first time.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

Said bill having been announced for a third reading,

Mr. Donnelly moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended as follows:

Strike out section 2 and insert in lieu thereof a section providing for the payment of the sum appropriated by this act, and by chapter 181 of the Laws of 1898, by a direct tax.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Donnelly, and it was determined in the negative.

{ AYES 62 }
{ NOES 75 }

Those who voted in the affirmative, were

Ackert	Fitzgerald	Hutton	O'Connor	Schultz
Boland	Fritz	Kelly	Oliver	Schulum
Brennen J F	Gale	Kullman	Palmer	Seligsberg
Cain	Gallagher	Mahar	Phillips	Shoeneck
Collins	Gibney	Maloney	Pickett	Sinsheimer
Crabtree	Glaser	McGuire	Redington	Stewart
Cullen	Green	McKeown	Reisert	Streifer
Dale	Griggs	Meyer G W	Roche	Sullivan
Dillon	Guider	Mitchell	Sage	Tompkins
Donnelly	Hachemeis'r	Mohring	Sanford	Trainor
Egan	Harburger	Mullany	Schmid A F	Vroman
Farrell	Hoffman	Murray	Schmid F	Wicke
Finn	Hubbard			

Those who voted in the negative, were

Addis	Cross	Hoes	Miles	Stedman
Adler	Davis	Holbert	Miller	Stoneman
Allds	DeGraw	Ives	Murphy	Taylor
Armstrong	Delaney	Johnson	Nixon	Ten Eyck
Axtell	Eldridge	Kavanaugh	Patton	Tiffany
Baker	Ellis	Kelsey	Perkins	Tremper
Bondy	Evarts	Laimbeer	Peterson	Tripp
Brewster	Fish	Litchard	Pierce	Van Rens'aer
Burr	Fordyce	Lowenthal	Post	Vincent
Clark A L	Fuller	Marshall	Raplee	Wallace
Clark C J	Goodsell	Martin	Russell	Weekes
Costello	Greenwood	Mason	Sears	Whipple
Cottle	Hatch	Matteson	Simmons	Williams
Coughtry	Hays	McEwan	Sloan	Witter
Cowles	Hill	McLaughlin	Smith E La G	Zimmerman

Mr. Green moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith, amended as follows:

Page 1, line 6, strike out the words "or otherwise on the request or requisition of the president of the United States."

Page 2, line 7, after the semicolon, beginning with the word "but," strike out the rest of the section.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Green, and it was determined in the negative.

Mr. Oliver moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith, amended as follows:

Page 2, line 22, after the word "par" insert the words "the principal and interest of said bonds or certificates shall be payable in the lawful money of the United States."

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Oliver, and it was determined in the negative.

{ AYES 59 }
 { NOES 79 }

Those who voted in the affirmative, were

Ackert	Finn	Hoffman	Mullany	Schmid F
Boland	Fitzgerald	Hubbard	Murray	Schultz
Brennen J F	Fritz	Hutton	O'Connor	Schulum
Cain	Gale	Kelly	Oliver	Shoeneck
Collins	Gallagher	Kullman	Palmer	Sinsheimer
Crabtree	Gibney	Mahar	Pickett	Strefler
Cullen	Glaser	Maloney	Redington	Sullivan
Dale	Green	McGuire	Reisert	Trainor
Dillon	Guider	McKeown	Roche	Van Hoesen
Donnelly	Hachemeis'r	Meyer G W	Sage	Vroman
Egan	Haight	Mitchell	Sanford	Wicke
Farrell	Harburger	Mohring	Schmid A F	

Those who voted in the negative, were

Addis	Cross	Hoes	Miller	Stewart
Adler	Davis	Holbert	Murphy	Stoneman
Allds	DeGraw	Ives	Nixon	Taylor
Armstrong	Delaney	Johnson	Patton	Ten Eyck
Axtell	Dutton	Kavanaugh	Perkins	Tiffany
Baker	Eldridge	Kelsey	Peterson	Tremper
Bondy	Ellis	Laimbeer	Pierce	Tripp
Brennan E C	Evarts	Litchard	Post	Van Rens'aer
Brewster	Fish	Lowenthal	Raplee	Wallace
Burr	Fordyce	Marshall	Russell	Weekes
Clark A L	Fuller	Martin	Sears	Whipple
Clark C J	Goodsell	Mason	Seligsberg	Williams
Costello	Greenwood	Matteson	Simmons	Witter
Cottle	Hatch	McEwan	Sloan	Zimmerman
Coughtry	Hays	McLaughlin	Smith E LaG	Speaker
Cowles	Hill	Miles	Stedman	

Mr. Finn moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith, amended as follows:

Page 2, section 2, line 26, after the word "eight" insert the words "that the state shall allow, and pay, out of the amount hereby appropriated, to each non-commissioned officer and pri-

vate soldier of this state now serving in the United States army as New York volunteers, the sum of seven dollars per month during their term of service."

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question, " Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Finn, and it was determined in the negative.

{ AYES 63 }
{ NOES 72 }

Those who voted in the affirmative, were

Boland	Fritz	Hubbard	Oliver	Schulum
Brennen J F	Gale	Hutton	Palmer	Seligsberg
Cain	Gallagher	Kelly	Phillips	Shoeneck
Collins	Gibney	Kullman	Pickett	Sinsheimer
Crabtree	Glaser	Mahar	Redington	Stewart
Cullen	Green	Maloney	Reisert	Streifler
Dale	Griggs	McGuire	Roche	Sullivan
Dillon	Guider	Meyer G W	Sage	Tompkins
Donnelly	Hachemeis'r	Mitchell	Sanford	Trainor
Egan	Haight	Mohring	Schmid A F	Van Hoesen
Farrell	Harburger	Mullany	Schmid F	Vroman
Finn	Hill	Murray	Schultz	Wicke
Fitzgerald	Hoffman	O'Connor		

Those who voted in the negative, were

Adler	Cross	Holbert	Nixon	Stoneman
Allds	Davis	Ives	Paris	Taylor
Armstrong	DeGraw	Johnson	Patton	Ten Eyck
Axtell	Delaney	Kelsey	Perkins	Tiffany
Baker	Dutton	Laimbeer	Peterson	Tremper
Bondy	Eldridge	Litchard	Pierce	Tripp
Brennan E C	Ellis	Marshall	Post	Van Rens'aer
Brewster	Evarts	Martin	Raplee	Vincent
Burr	Fish	Mason	Russell	Wallace
Clark A L	Fordyce	Matteson	Sears	Weekes
Clark C J	Fuller	McEwan	Simmons	Whipple
Costello	Goodsell	Miles	Sloan	Williams
Cottle	Greenwood	Miller	Smith E LaG	Witter
Coughtry	Hatch	Murphy	Stedman	Zimmerman
Cowles	Hays			

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 145 }
} NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Mullany	Shoeneck
Addis	Dutton	Hoffman	Murphy	Simmons
Adler	Egan	Holbert	Murray	Sinsheimer
Allds	Eldridge	Hubbard	Myers J C	Sloan
Armstrong	Ellis	Hutton	Nixon	Smith E LaG
Axtell	Evarts	Ives	O'Connor	Stedman
Baker	Farrell	Johnson	Oliver	Stewart
Boland	Finn	Kavanaugh	Palmer	Stoneman
Bondy	Fish	Kelly	Paris	Streifler
Brennan E C	Fitzgerald	Kelsey	Patton	Sullivan
Brennen J F	Fordyce	Kullman	Perkins	Taylor
Brewster	Fritz	Laimbeer	Peterson	Ten Eyck
Burr	Fuller	Litchard	Phillips	Tiffany
Cain	Gale	Lowenthal	Pickett	Tompkins
Clark A L	Gallagher	Mahar	Pierce	Trainor
Clark C J	Gibney	Maloney	Post	Tremper
Collins	Glaser	Marshall	Raplee	Tripp
Costello	Goodsell	Martin	Redington	Van Hoesen
Cottle	Graney	Mason	Reisert	Van Rens'aer
Coughtry	Green	Matteson	Roche	Vincent
Cowles	Greenwood	McEwan	Russell	Vroman
Crabtree	Griggs	McGuire	Sage	Wallace
Cross	Guider	McKeown	Sanford	Weekes
Cullen	Hachemeis'r	McLaughlin	Schmid A F	Whipple
Dale	Haight	Meyer G W	Schmid F	Wicke
Davis	Harburger	Miles	Schultz	Williams
DeGraw	Hatch	Miller	Schulum	Witter
Delaney	Hays	Mitchell	Sears	Zimmerman
Dillon	Hill	Mohring	Seligsberg	Speaker

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Nixon, the House took a recess until 3 o'clock p. m.

THREE O'CLOCK P. M.

The House again met.

Mr. Palmer.—I desire to ask that the minority members of the judiciary committee be accorded the privilege of filing with the report of the judiciary committee the minority report, which I send to the desk, with reference to the police bill of New York.

Mr. Speaker.—Not in order. The minority members of the committee may have the privilege of dissenting from the record on the journal, but no minority report can be received, under the rules of the House.

Mr. Palmer.—I am aware of that ruling of this House. I now ask the unanimous consent of this House to file this report, for the reason that the ordinary course taken in bills of this magnitude, under an emergency message is not given to it, and hearing not had, nor is the publicity of a committee's action given, the same as in ordinary cases of legislation. In order that no member of that committee may be wrong upon the record, in order that they may go back to their constituency and say that the records show that in being on this committee they voted as they thought they had a right to and ought to do, I ask unanimous consent that they be accorded the privilege of filing this report, together with the majority report.

Mr. Nixon.—Mr. Speaker—

Mr. Speaker.—The gentleman from Chautauqua—

Mr. Nixon.—That is entirely out of order.

Mr. Speaker.—The Chair understands the gentleman from Chautauqua objects, and the dissent of the members of the judiciary committee will be recorded upon the journal.

Mr. Roche.—I make the point of order that any member of a committee has the privilege of making a minority report.

Mr. Speaker.—The gentleman's point of order is not well taken.

Mr. Donnelly.—I ask, in pursuance of the ruling made by the Chair, that the dissent of the minority members of the judiciary committee be inscribed upon the journal of this House.

Mr. Speaker.—The Chair has so directed.

On motion of Mr. Nixon, the House took a recess until 7 o'clock p. m.

SEVEN O'CLOCK, P. M.

The House again met.

A communication from the Governor, by the hands of his private secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, N. Y., *July 14, 1898.*

To the Legislature:

I recommend for your consideration the following subjects:

First. An appropriation sufficient to pay in full the expenses of the extra session of the Legislature.

Second. The creation of a metropolitan elections district having a State superintendent therein, with prescribed powers and duties.

Third. Bi-partisan representation on local election boards, which representation shall be based upon the recommendation of political parties or the committees thereof.

[L. S.] FRANK S. BLACK.

On motion of Mr. Nixon, the House took a recess until ten o'clock, P. M.

TEN O'CLOCK, P. M.

The House again met.

The Senate sent for concurrence a bill (No. 7), entitled "An act to create a metropolitan elections district; provide for the appointment of a State superintendent therein, and to prescribe his powers and duties" (Rec. No. 2), which was read the first time and referred to the committee on the judiciary.

Mr. Nixon gave notice that at some future day he will move to suspend rules 3, 5, 16, 17, 20, 21, 25, 26, 27, 28, 35, 42, 43, 46, 52 and 61, for the purpose of discharging the committee on the judiciary from the further consideration of Senate bill, No. 7, entitled

"An act to create a metropolitan elections district; provide for the appointment of a State superintendent therein, and to prescribe his powers and duties" (Rec. No. 2), and for the second and third reading and final passage of said bill.

On motion of Mr. Nixon, the House adjourned to meet to-morrow morning at ten o'clock.

FRIDAY, JULY 15, 1898.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Forrest Hallenbeck.

On motion of Mr. Nixon, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Kelsey in the chair.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Eldridge	Hutton	Palmer	Stedman
Addis	Ellis	Ives	Patton	Stewart
Adler	Evarts	Johnson	Perkins	Stoneman
Axtell	Farrell	Kelsey	Phillips	Streifer
Baker	Finn	Laimbeer	Pickett	Sullivan
Boland	Fish	Litchard	Pierce	Taylor
Bondy	Fitzgerald	Lowenthal	Post	Ten Eyck
Brewster	Fordyce	Maloney	Raplee	Tiffany
Clark A L	Fuller	Marshall	Reisert	Winkins
Clark C J	Glaser	Martin	Roche	Trainor
Collins	Goodsell	Mason	Russell	Imper
Costello	Green	Matteson	Sage	Tripp
Cottle	Greenwood	McEwan	Sanford	Van Hoesen
Coughtry	Griggs	McGuire	Schmid A F	Van Rens'aer
Cowles	Haight	McLaughlin	Schmid F	Vincent
Cross	Harburger	Meyer G W	Schultz	Vroman
Cullen	Hatch	Miles	Schulum	Wallace
DeGraw	Hays	Miller	Sears	Weekes
Delaney	Hill	Mitchell	Seligberg	Whipple

Dillon	Hoes	Murphy	Simmons	Wicke
Donnelly	Hoffman	Murray	Sloan	Witter
Dutton	Holbert	Nixon	Smith E La G	Zimmerman
Egan	Hubbard	O'Connor		113

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. J. F. Brennen, Williams, Burr, Peterson, Davis, E. C. Brennan, J. C. Myers, Mullaney, Sinsheimer, Crabtree, McKeown, Oliver, Kelly, Allds, Armstrong and Fritz, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to notice, Mr Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That rules 3, 5, 16, 17, 20, 21, 25, 26, 27, 28, 35, 42, 43, 46, 52 and 61, be suspended for the purpose of discharging the committee on the judiciary from the further consideration of Senate bill (No. 7) entitled "An act to create a metropolitan election district, provide for the appointment of a State superintendent thereof and to prescribe his powers and duties " (Rec. No. 2), and that said bill may have its second and third readings and be put upon its final passage.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 63 }

Those who voted in the affirmative, were

Addis	Cross	Hoes	Miller	Stoneman
Adler	Davis	Holbert	Murphy	Taylor
Allds	DeGraw	Ives	Nixon	Ten Eyck
Armstrong	Delaney	Johnson	Patton	Tiffany
Axtell	Dutton	Kelsey	Perkins	Tremper
Baker	Eldridge	Laimbeer	Peterson	Tripp
Bondy	Ellis	Litchard	Pierce	Van Rens'aer
Brennan EC	Evarts	Lowenthal	Post	Vincent

Brewster	Fish	Marshall	Raplee	Wallace
Burr	Fordyce	Martin	Russell	Weekes
Clark C J	Fuller	Mason	Sears	Whipple
Clark A L	Goodsell	Matteson	Simmons	Williams
Costello	Greenwood	McEwan	Sloan	Witter
Cottle	Hatch	McLaughlin	Smith E La G	Zimmerman
Coughtry	Hays	Miles	Stedman	Speaker
Cowles	Hill			

Those who voted in the negative, were

Ackert	Fitzgerald	Hubbard	Oliver	Schulum
Boland	Fritz	Hutton	Palmer	Seligsberg
Brennen J F	Gale	Kelly	Phillips	Shoenek
Cain	Gallagher	Mahar	Pickett	Sinsheimer
Collins	Gibney	Maloney	Redington	Stewart
Crabtree	Glaser	McGuire	Reisert	Streifler
Cullen	Green	McKeown	Roche	Sullivan
Dale	Griggs	Meyer G W	Sage	Tompkins
Dillon	Guider	Mitchell	Sanford	Trainor
Donnelly	Hachemeis'r	Mullany	Schmid A F	Van Hoesen
Egan	Haight	Murray	Schmid F	Vroman
Farrell	Harburger	Myers J C	Schultz	Wicke
Finn	Hoffman	O'Connor		

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Senate bill (No. 7) entitled "An act to create a metropolitan elections district; provide for the appointment of a State superintendent therein, and to prescribe his powers and duties" (Rec. No. 2), and that the same now have its second and third readings.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced for a second reading,

Mr. Oliver moved to amend as follows:

Strike out all of section 1 of said act.

Debate was had on said motion, when

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Donnelly	Hoffman	Murray	Simmons
Addis	Dutton	Holbert	Myers J C	Sinsheimer
Adler	Egan	Hubbard	Nixon	Sloan
Allds	Eldridge	Hutton	O'Connor	Smith E LaG
Armstrong	Ellis	Ives	Oliver	Stedman
Axtell	Evarts	Johnson	Palmer	Stewart
Baker	Finn	Kavanaugh	Paris	Stoneman
Boland	Fish	Kelly	Patton	Streifler
Bondy	Fitzgerald	Kelsey	Perkins	Sullivan
Brennan E C	Fordyce	Kullman	Peterson	Taylor
Brennen J F	Fritz	Laimbeer	Phillips	Ten Eyck
Brewster	Fuller	Litchard	Pickett	Tiffany
Burr	Gale	Lowenthal	Pierce	Tompkins
Cain	Gallagher	Mahar	Post	Trainor
Clark A L	Gibney	Marshall	Raplee	Tremper
Clark C J	Glaser	Martin	Redington	Tripp
Collins	Goodsell	Mason	Reisert	Van Hoesen
Costello	Green	Matteson	Roche	Van Rens'aer
Cottle	Greenwood	McEwan	Russell	Vincent
Coughtry	Griggs	McGuire	Sage	Vroman
Cowles	Guider	McKeown	Sanford	Wallace
Crabtree	Hachemeis'r	McLaughlin	Schmid A F	Weekes
Cullen	Haight	Meyer G W	Schultz	Whipple
Dale	Harburger	Miles	Schulum	Wicke
Davis	Hatch	Miller	Sears	Williams
DeGraw	Hays	Mitchell	Seligsberg	Witter
Delaney	Hill	Mullany	Shoeneck	Zimmerman
Dillon	Hoes	Murphy		138

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate on said motion of Mr. Oliver was resumed, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question " Shall the main question be now put? " and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Oliver, and it was determined in the negative.

} AYES 62 }
 } NOES 77 }

Those who voted in the affirmative, were

Ackert	Fitzgerald	Hubbard	O'Connor	Schulum
Boland	Fritz	Hutton	Oliver	Seligsberg
Brennen J F	Gale	Kelly	Palmer	Shoeneck
Cain	Gallagher	Kullman	Phillips	Sinsheimer
Collins	Gibney	Mahar	Pickett	Stewart
Crabtree	Glaser	McGuire	Redington	Streifler
Cullen	Green	McKeown	Reisert	Sullivan
Dale	Griggs	Meyer G W	Sage	Tompkins
Dillon	Guider	Mitchell	Sanford	Trainor
Donnelly	Hachemeis'r	Mullany	Schmid A F	Van Hoesen
Egan	Haight	Murray	Schmid F	Vroman
Farrell	Harburger	Myers J C	Schultz	Wicke
Finn	Hoffman			

Those who voted in the negative, were

Addis	Davis	Holbert	Murphy	Stoneman
Adler	DeGraw	Ives	Nixon	Taylor
Allds	Delaney	Johnson	Paris	Ten Eyck
Armstrong	Dutton	Kavanaugh	Patton	Tiffany
Axtell	Eldridge	Kelsey	Perkins	Tremper
Baker	Ellis	Laimbeer	Peterson	Tripp
Bondy	Evarts	Litchard	Pierce	Van Rens'aer
Brennan E C	Fish	Lowenthal	Post	Vincent
Brewster	Fordyce	Marshall	Raplee	Wallace
Burr	Fuller	Martin	Russell	Weekes
Clark A L	Goodsell	Mason	Sears	Whipple
Clark C J	Greenwood	Matteson	Simmons	Williams
Costello	Hatch	McEwan	Sloan	Witter
Cottle	Hays	McLaughlin	Smith F La G	Zimmerman
Coughtry	Hill	Miles	Stedman	Speaker
Cowles	Hoes			

Mr. Nixon moved to amend said bill as follows:

Amend section 3 by striking out on page 3, line 3, the word "twice;" also, by inserting after the word "lists," on page 3, line 5, the words "or from a supplemental list as herein provided."

Page 3, line 8, after the word "law" insert the following: "All persons so proposed for appointment may be examined as to their possessing the qualifications required by section eleven of the election law, by or under the direction of the state superintendent, who shall give five days' notice in writing of such proposed examination to the person to be examined, and also to the chairman of

the committee or other person by whom the list was filed and authenticated, and such chairman or other person may appear and be heard on such examination, either in person or by counsel. If a person so nominated is not examined, or if after examination he is found qualified, under section eleven of the election law, he shall be appointed. If a person so proposed is found disqualified after examination, notice in writing to that effect shall be given by the superintendent within three days after such disqualification is determined by him, to the chairman of the committee or other person by whom the list embracing the name of the person so disqualified was authenticated, and such chairman or other person may thereupon file a supplemental list containing the names of persons nominated to fill such vacancies. Additional supplemental lists may also be filed from time to time on notice by the superintendent, until all the appointments to which a party is entitled are made. Any vacancy occurring by disqualification or otherwise shall be filled by the appointment of a qualified person named in a supplemental list filed on behalf of the same party, except that if a party entitled to representation files no original list nor a supplemental list after notice, the appointment may be made without such lists, and without nomination."

Same page, strike out all after and including the word "if" in line 8, to and including the word "nomination" in line 12.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Nixon, and it was determined in the affirmative.

} AYES 79 }
} NOES 63 }

Those who voted in the affirmative, were

Addis	Cross	Hoes	Miller	Stoneman
Adler	Davis	Holbert	Murphy	Taylor
Allds	DeGraw	Ives	Nixon	Ten Eyck
Armstrong	Delaney	Johnson	Paris	Tiffany
Axtell	Dutton	Kavanaugh	Patton	Tremper
Baker	Eldridge	Kelsey	Perkins	Tripp
Bondy	Ellis	Laimbeer	Peterson	Van Rens'aer
Brennan EC	Evarts	Litchard	Pierce	Vincent
Brewster	Fish	Lowenthal	Post	Wallace
Burr	Fordyce	Marshall	Raplee	Weekes
Clark A L	Fuller	Martin	Russell	Whipple

Clark C J	Goodsell	Mason	Sears	Williams
Costello	Greenwood	Matteson	Simmons	Witter
Cottle	Hatch	McEwan	Sloan	Zimmerman
Coughtry	Hays	McLaughlin	Smith E LaG	Speaker
Cowles	Hill	Miles	Stedman	

Those who voted in the negative, were

Ackert	Fitzgerald	Hubbard	Oliver	Schulum
Boland	Fritz	Hutton	Palmer	Seligsberg
Brennen J F	Gale	Kelly	Phillips	Shoeneck
Cain	Gallagher	Kullman	Pickett	Sinsheimer
Collins	Gibney	Mahar	Redington	Stewart
Crabtree	Glaser	McGuire	Reisert	Streifler
Cullen	Green	McKewen	Roche	Sullivan
Dale	Griggs	Meyer G W	Sage	Tompkins
Dillon	Guider	Mitchell	Sanford	Trainor
Donnelly	Hachemeis'r	Mullany	Schmid A F	Van Hoesen
Egan	Haight	Murray	Schmid F	Vroman
Farrell	Harburger	Myers J C	Schultz	Wicke
Finn	Hoffman	O'Connor		

Said bill, as amended, was then read the second time.

Mr. Nixon moved that said bill be placed on the order of third reading.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question " Shall the main question be now put? " and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Nixon, and it was determined in the affirmative.

{ AYES 77 }
{ NOES 61 }

Those who voted in the affirmative were

Addis	Davis	Holbert	Miller	Stedman
Adler	DeGraw	Ives	Murphy	Stoneman
Allds	Delaney	Johnson	Nixon	Taylor
Armstrong	Dutton	Kavanaugh	Paris	Ten Eyck
Axtell	Eldridge	Kelsey	Patton	Tiffany
Baker	Ellis	Laimbeer	Perkins	Tremper
Bondy	Evarts	Litchard	Peterson	Tripp
Brennan E C	Fish	Lowenthal	Pierce	Van Rens'aer
Brewster	Fordyce	Marshall	Post	Vincent
Burr	Fuller	Martin	Raplee	Wallace

Clark A L	Goodsell	Mason	Russell	Weekes
Clark C J	Greenwood	Matteson	Sears	Whipple
Costello	Hatch	McEwan	Simmons	Williams
Cottle	Hays	McLaughlin	Sloan	Witter
Coughtry	Hill	Miles	Smith E La G	Zimmerman
Cowles	Hoes			

Those who voted in the negative were:

Ackert	Fitzgerald	Hoffman	Oliver	Schulum
Boland	Fritz	Hubbard	Palmer	Seligsberg
Brennen J F	Gale	Hutton	Phillips	Shoeneck
Cain	Gallagher	Kelly	Pickett	Sinsheimer
Collins	Gibney	Kullman	Redington	Stewart
Crabtree	Glaser	Mahar	Reisert	Streifler
Cullen	Green	McGuire	Roche	Sullivan
Dale	Griggs	Meyer G W	Sage	Tompkins
Dillon	Guider	Mitchell	Sanford	Trainor
Donnelly	Hachemeis'r	Murray	Schmid A F	Van Hoesen
Egan	Haight	Myers J C	Schmid F	Vroman
Farrell	Harburger	O'Connor	Schultz	Wicke
Finn				

Said bill having been announced for a third reading,

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill, Int. No. 4, entitled "An act to create a metropolitan elections district; provide for the appointment of a State superintendent therein, and to prescribe his powers and duties."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this fifteenth day of

[L. s.] July, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,

Private Secretary.

On motion of Mr. Donnelly at 6.35 o'clock, P. M., the House took a recess for ten minutes.

SIX O'CLOCK AND FORTY-FIVE MINUTES, P. M.

The House again met and resumed consideration of said bill.
The Speaker resumed the chair.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ackert	Dillon	Hill	Mullany	Simmons
Addis	Donnelly	Hoes	Murphy	Sinsheimer
Adler	Dutton	Hoffman	Murray	Sloan
Allds	Egan	Holbert	Myers J C	Smith E La G
Armstrong	Eldridge	Hubbard	Nixon	Stedman
Axtell	Ellis	Hutton	O'Connor	Stewart
Baker	Evarts	Ives	Oliver	Stoneman
Boland	Farrell	Johnson	Palmer	Streifler
Bondy	Finn	Kavanaugh	Paris	Sullivan
Brennan E C	Fish	Kelly	Patton	Taylor
Brennen J F	Fitzgerald	Kelsey	Perkins	Ten Eyck
Brewster	Fordyce	Kullman	Peterson	Tiffany
Burr	Fritz	Laimbeer	Phillips	Tompkins
Cain	Fuller	Litchard	Pierce	Trainor
Clark A L	Gale	Lowenthal	Post	Tremper
Clark C J	Gallagher	Mahar	Raplee	Tripp
Collins	Gibney	Marshall	Redington	Van Hoesen
Costello	Glaser	Martin	Reisert	Van Rens'aer
Cottle	Goodsell	Mason	Roche	Vincent
Coughtry	Green	Matteson	Russell	Vroman
Cowles	Greenwood	McEwan	Sanford	Wallace
Crabtree	Griggs	McGuire	Schmid A F	Weekes
Cross	Guider	McKeown	Schmid F	Whipple
Cullen	Hachemeis'r	McLaughlin	Schultz	Wicke
Dale	Haight	Meyer G W	Schulum	Williams
Davis	Harburger	Miles	Sears	Witter
DeGraw	Hatch	Miller	Seligsberg	Zimmerman
Delaney	Hays	Mitchell	Shoeneck	139

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Nixon moved the previous question on the third reading of said bill.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 61 }

Those who voted in the affirmative, were

Addis	Cross	Hoes	Miller	Stoneman
Adler	Davis	Holbert	Murphy	Taylor
Allds	DeGraw	Ives	Nixon	Ten Eyck
Armstrong	Delaney	Johnson	Paris	Tiffany
Axtell	Dutton	Kavanaugh	Patton	Tremper
Baker	Eldridge	Kelsey	Perkins	Tripp
Bondy	Ellis	Laimbeer	Peterson	Van Rens'aer
Brennan E C	Evarts	Litchard	Pierce	Vincent
Brewster	Fish	Lowenthal	Post	Wallace
Burr	Fordyce	Marshall	Raplee	Weekes
Clark A L	Fuller	Martin	Russell	Whipple
Clark C J	Goodsell	Mason	Sears	Williams
Costello	Greenwood	Matteson	Simmons	Witter
Cottle	Hatch	McEwan	Sloan	Zimmerman
Coughtry	Hays	McLaughlin	Smith E L a G	Speaker
Cowles	Hill	Miles	Stedman	

Those who voted in the negative, were

Ackert	Finn	Hoffman	Myers J C	Schulum
Boland	Fitzgerald	Hubbard	O'Connor	Seligsberg
Brennen J F	Fritz	Hutton	Oliver	Shoeneck
Brown	Gale	Kelly	Palmer	Sinsheimer
Cain	Gallagher	Kullman	Phillips	Stewart
Collins	Gibney	Mahar	Redington	Streifer
Crabtree	Glaser	McGuire	Reisert	Sullivan
Cullen	Green	McKeown	Roche	Tompkins
Dale	Griggs	Meyer G W	Sanford	Trainor
Dillon	Guider	Mitchell	Schmid A F	Van Hoesen
Donnelly	Hachemeis'r	Mullany	Schmid F	Vroman
Egan	Harburger	Murray	Schultz	Wicke
Farrell				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The Senate sent for concurrence a bill (No. 8), entitled "An act to amend section 12 of chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' as amended by chapter 397 of the Laws of 1897, relating to the appointment and qualifications of election officers in cities" (Rec. No. 4), which was read the first time and referred to the committee on the judiciary.

Mr. Nixon gave notice that at some future day he will move to suspend rules 3, 5, 16, 17, 20, 21, 25, 27, 28, 35, 42, 43, 46, 52 and 61, for the purpose of discharging the committee on the judiciary from the further consideration of Senate bill, No. 8, entitled "An act to amend section 12 of chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' as amended by chapter 379, of the Laws of 1897, relating to the appointment and qualifications of election officers in cities" (Rec. No. 4), and for the second and third reading and final passage of said bill.

The Senate sent for concurrence a bill (No. 9), entitled "An act making an appropriation for the expenses of the special session of the Legislature, called by proclamation of the Governor, to convene on July 11, 1898" (Rec. No. 3), which was read the first time.

On motion of Mr. Nixon, and by unanimous consent said bill was made a special order on second and third reading for to-morrow, immediately after the reading of the journal.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill, Int. No. 7, entitled "An act

making an appropriation for the expenses of the special session of the Legislature, called by proclamation of the Governor, to convene on July 11, 1898."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this fifteenth day of
[L. S.] July, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,
Private Secretary.

The privileges of the floor were granted to Hon. Jacob A. Mitnacht of New York and Hon. Robert Miller of New York.

On motion of Mr. Nixon, the House adjourned to meet to-morrow morning at ten o'clock.

SATURDAY, JULY 16, 1898.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Forrest Hallenbeck.

On motion of Mr. Roche, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker announced the special order, being the Senate bill (No. 9) entitled "An act making an appropriation for the expenses of the special session of the Legislature, called by proclamation of the Governor, to convene on July 11, 1898." (Rec. No. 3.)

On motion of Mr. Nixon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Nixon, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Mitchell	Simmons
Addis	Dutton	Holbert	Mohring	Sinsheimer
Adler	Egan	Hutton	Mullany	Sloan
Allds	Eldridge	Ives	Murphy	Smith E LaG
Armstrong	Ellis	Johnson	Myers J C	Stedman
Axtell	Evarts	Kavanaugh	Nixon	Stewart
Baker	Finn	Kelly	Oliver	Stoneman
Boland	Fish	Kelsey	Palmer	Taylor
Bondy	Fordyce	Kullman	Paris	Ten Eyck
Brennan E C	Fuller	Laimbeer	Patton	Tiffany
Brewster	Gale	Litchard	Perkins	Trainor
Burr	Gallagher	Lowenthal	Pierce	Tremper
Cain	Gibney	Mahar	Post	Tripp
Clark A L	Glazer	Maloney	Raplee	Van Rens'aer
Clark C J	Goodsell	Marshall	Redington	Vincent
Costello	Graney	Martin	Russell	Vroman
Cottle	Greenwood	Mason	Sanford	Wallace
Coughtry	Hachemeis'r	Matteson	Schmid A F	Weekes
Cowles	Haight	McEwan	Schulum	Whipple
Cross	Hanna	McLaughlin	Sears	Williams
Davis	Hatch	Miles	Seligsberg	Witter
DeGraw	Hays	Miller	Shoeneck	Zimmerman
Delaney	Hill			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Nixon moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

By direction of the Speaker, the clerk called the roll, when the following members responded:

Ackert	Dutton	Holbert	Palmer	Sloan
Addis	Egan	Hubbard	Paris	Smith E LaG
Adler	Eldridge	Ives	Patton	Stedman
Armstrong	Ellis	Johnson	Perkins	Stewart
Axtell	Evarts	Kelly	Peterson	Streifler
Baker	Finn	Kelsey	Phillips	Sullivan

Boland	Fish	Laimbeer	Pickett	Taylor
Bondy	Fitzgerald	Litchard	Pierce	Tiffany
Brennan E C	Fordyce	Lowenthal	Post	Tompkins
Brewster	Fuller	Mahar	Raplee	Trainor
Brown	Gibney	Martin	Reisert	Tremper
Clark A L	Goodsell	Mason	Roche	Tripp
Clark C J	Green	Matteson	Russell	Van Rens'aer
Collins	Greenwood	McEwan	Sanford	Vincent
Costello	Haight	McLaughlin	Schmid A F	Vroman
Cottle	Harburger	Miles	Schmid F	Wallace
Coughtry	Hatch	Miller	Schultz	Weekes
Cowles	Hays	Mitchell	Schulum	Whipple
Crabtree	Hill	Murphy	Sears	Wicke
Cross	Hoes	Nixon	Seligsberg	Williams
Cullen	Hoffman	Oliver	Shoeneck	Witter
Donnelly				

106

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. McKeown, Zimmerman, G. W. Meyer, Ten Eyck, Sinsheimer, J. C. Myers, Simmons, Burr, Stoneman, Sloan, Gallagher, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Nixon moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to notice, Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That rules Nos. 3, 5, 16, 17, 20, 21, 25, 27, 28, 35, 42, 43, 46, 52 and 61, be suspended for the purpose of discharging the committee on the judiciary from the further consideration of Senate bill (No. 8), entitled "An act to amend section 12 of chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' as amended by chapter 379 of the Laws of 1897, relating to the appointment and qualifications of election officers in cities" (Rec. No. 4), and for its second and third reading, and placing of said bill on its final passage.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
 { NOES 52 }

Those who voted in the affirmative, were

Addis	Cross	Hoes	Miller	Stoneman
Adler	Davis	Holbert	Murphy	Taylor
Allds	DeGraw	Ives	Nixon	Ten Eyck
Armstrong	Delaney	Johnson	Paris	Tiffany
Axtell	Dutton	Kavanaugh	Patton	Tremper
Baker	Eldridge	Kelsey	Perkins	Tripp
Bondy	Ellis	Laimbeer	Peterson	Van Rens'aer
Brennan E C	Evarts	Litchard	Pierce	Vincent
Brewster	Fish	Lowenthal	Post	Wallace
Burr	Fordyce	Marshall	Raplee	Weekes
Clark A L	Fuller	Martin	Russell	Whipple
Clark C J	Goodsell	Mason	Sears	Williams
Costello	Greenwood	Matteson	Simmons	Witter
Cottle	Hatch	McEwan	Sloan	Zimmerman
Coughtry	Hays	McLaughlin	Smith E La G	Speaker
Cowles	Hill	Miles	Stedman	

Those who voted in the negative, were

Ackert	Finn	Hubbard	Palmer	Seligsberg
Boland	Fitzgerald	Kelly	Phillips	Shoeneck
Brennen J F	Gale	Kullman	Redington	Sinsheimer
Collins	Gallagher	Mahar	Reisert	Stewart
Crabtree	Gibney	McGuire	Roche	Streifler
Cullen	Green	Meyer G W	Sanford	Sullivan
Dale	Griggs	Mitchell	Schmid A F	Tompkins
Dillon	Guider	Mullany	Schmid F	Trainor
Donnelly	Haight	Murray	Schultz	Vroman
Egan	Harburger	Oliver	Schulum	Wicke
Farrell	Hoffman			

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the Senate bill (No. 8), entitled "An act to amend section 12 of chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' as amended by chapter 379 of the Laws of 1897,' relating to the appointment and qualifications of election officers in cities" (Rec. No. 4), and that the same do now have its second and third readings.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill, Int. No. 6, entitled "an act to amend section 12 of chapter 909 of the Laws of 1896, entitled 'An act in relation to the election, constituting chapter 6 of the general laws,' as amended by chapter 379 of the Laws of 1897, relating to the appointment and qualifications of election officers in cities."

Given under my hand and the privy seal, of the State, at the Capitol, in the city of Albany, this sixteenth day
[L. s.] of July, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,
Private Secretary.

Said bill was read the second time.

Mr. Nixon moved that said bill be placed on the order of third reading.

Debate was had thereon, when

Mr. Nixon moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Nixon, and it was determined in the affirmative.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
 { NOES 61 }

Those who voted in the affirmative, were

Addis	Cross	Hill	Miles	Stedman
Adler	Davis	Hoes	Miller	Stoneman
Allds	DeGraw	Holbert	Murphy	Taylor
Armstrong	Delaney	Ives	Nixon	Ten Eyck
Axtell	Dutton	Johnson	Paris	Tiffany
Baker	Eldridge	Kavanaugh	Patton	Tremper
Bondy	Ellis	Kelsey	Perkins	Tripp
Brennan E C	Evarts	Laimbeer	Peterson	Van Rens'aer
Brewster	Fish	Litchard	Pierce	Vincent
Burr	Fordyce	Lowenthal	Post	Wallace
Clark A L	Fuller	Marshall	Raplee	Weekes
Clark C J	Goodsell	Martin	Russell	Whipple
Costello	Greenwood	Mason	Sears	Williams
Cottle	Hanna	Matteson	Simmons	Witter
Coughtry	Hatch	McEwan	Sloan	Zimmerman
Cowles	Hays	McLaughlin	Smith E La G	Speaker

Those who voted in the negative, were

Ackert	Fitzgerald	Hubbard	Murray	Schmid F
Boland	Fritz	Hutton	Myers J C	Schultz
Brennen J F	Gale	Kelly	O'Connor	Schulum
Cain	Gallagher	Kullman	Oliver	Seligsberg
Collins	Gibney	Mahar	Palmer	Shoeneck
Crabtree	Green	Maloney	Phillips	Sinsheimer
Cullen	Griggs	McGuire	Pickett	Streifler
Dale	Guider	McKeown	Redington	Sullivan
Dillon	Hachemeis'r	Meyer G W	Reisert	Tompkins
Donnelly	Haight	Mitchell	Roche	Trainor
Egan	Harburger	Mohring	Sanford	Vroman
Farrell	Hoffman	Mullany	Schmid A F	Wicke
Finn				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Kelsey in the chair.

Mr. Fuller offered for the consideration of the House a resolution in the words following:

Whereas, The Assembly has learned with profound sorrow of the death of Hon. Edmund O'Connor of the city of Binghamton,

a former member and President pro tem. of the Senate; therefore, be it

Resolved, That by his sudden and untimely death the city of Binghamton and the State of New York has lost an eminent and respected citizen and the bar of the State one of its leading members. His long experience in the higher branch of the Legislature added to his great natural abilities, made him a leader wise, aggressive and fearless. This body, many of whose members personally knew and esteemed him for his great ability, uniform courtesy and manly bearing, hereby express our deep sorrow at his death and extend to the bereaved family our sincere sympathy.

Resolved, That as a further tribute of respect a committee be appointed by the Speaker to attend the funeral of the deceased.

Mr. Fuller said:

Mr. Speaker, I desire to add a few brief words to these resolutions, expressing my personal feeling of loss in the death of Senator O'Connor. It has been my good fortune to be connected with him for a long term of years; and many members of this body who have also enjoyed personal acquaintance with him, will bear me out in saying that he was a loyal friend always; and always fought for what he thought was right and was willing at all times to express his opinion and to stand by his opinion; and always gentle with those who differed from him.

The city of Binghamton and the county of Broome are to-day mourning the loss of one of their foremost citizens. For a long term of years connected with the prosperity of the city of Binghamton, we are proud of Edmund O'Connor who has been long a resident of our city.

The feeling of loss at his death is not confined within the limits of the city of Binghamton and the county of Broome—all over this State the press and the people are to-day speaking of Edmund O'Connor. He was a man well and favorably known.

The expression of personal sympathy in so large a degree by so many members of this body has been a surprise to me, and I am thankful for it.

I am sure there are many here to-day who will be glad to join with me in expressing their personal loss at his death.

I will make my remarks very brief as, owing to the lateness of the hour—hoping that others will add their tribute to the memory of this eminent man.

Mr. Oliver said:

I desire to add a few words to what the distinguished and eloquent gentleman from Broome has said. There is no one in the Legislature who regrets the sad death of Edmund O'Connor more than I. For a long time he was my warm and good friend. Men such as Edmund O'Connor in either branch of the Legislature dignify the duties of a legislator—fearless, fair and honest in all his words and in all his votes. A thorough partisan, at all times true to his party; a man of force in action as in words. But underneath it all, in the heat of the most bitter debate on party questions and debates that we had when he was President pro tem. of the Senate, debates that exceeded in political bitterness, anything that we have had this year, the courteous, genial O'Connor shone forth after he discharged his duty to his party.

It will be said about O'Connor, as it has been said about others like him—the same stamp of man—that the world was better that Edmund O'Connor had lived in it.

I can add nothing to the tribute that was paid to him—I feel personally very deeply the loss. And I say that I hope that all his political friends and all his neighbors, and that the God of the widow and orphan may have a care of the loved ones he left behind him, in all time to come. I hope that the resolutions will be adopted unanimously.

Mr. O'Grady said:

When I learned, a day or two ago, that our old friend from the Binghamton district had been stricken with what seemed to be his last illness, I felt as if we all were about to suffer a personal loss, and this morning, when I learn of his death, I feel that we have suffered a great personal loss. I feel that the State has suffered a great loss. And I rise to bear my personal tribute to the man and to his character, and I hope that his example will be such a one as may be followed often in the history of the State.

His career was a typical American one. Born a poor boy in Ireland, coming to this country almost friendless and alone, we

find him working at hard labor in his early youth, striving ever to advance himself, until finally he becomes the accomplished and able lawyer, the splendid orator that we all knew him. Great trusts were committed to his care and he never betrayed them. He was sent by his constituents to represent them at this Senate; coming here without any legislative experience, and by the force of his character striving to the front until he occupied the highest position that is in the gift of the Senate, its President pro tempore. How well he performed the duties of that office, those of us who served here at Albany with him well know. His character was above reproach. His temperament was peculiarly loveable. He possessed all that fire of the Celtic race, but his fire was always followed by those peculiar attributes of lovely friendship—his worst enemy he was willing to extend his right hand to—the right hand of fellowship.

His work in the Legislature will live after him.

While he was here, some six years, his name was connected with every great State measure. None of them but what bears upon its face the stamp of his efficient and painstaking labor. And it is a great loss that the State has suffered in his death.

I extend to his bereaved family at this time my personal sympathy, and I believe the sympathy of every member of the House, in the hour of their great bereavement.

Mr. Nixon said:

Mr. Nixon.—It was with a feeling of personal sorrow that I observed in the early part of the week that Senator O'Connor had been suddenly stricken down, when seemingly he was in the prime and vigor of manhood. I recollect having seen him only a very short time ago; and those of you who remember him will appreciate the fact that seemingly it looked as though he might have a long life before him. I am one of those who served in the co-ordinate branch of the Legislature during the time that he was identified with political life in the city of Albany. I appreciate fully what has been said by the gentleman from his own county, the gentleman from New York and the gentleman from Monroe, as to his personal character. We all appreciate the fact

that during the time he was one of the leaders of his party upon the floor, that he was always a generous adversary, that he was always a kind and true friend, and that he was always willing and ready to lend a helping hand to any new man who came to the Legislature.

As my friend from Monroe has said, his career is typical of the possibilities of a poor man in this Republic. He, through his own endeavors, by his own personal worth, gained an enviable position in the annals of the State of New York. His ability was so recognized that, had his life been spared, the party of which he was an exponent would have given him still further honors.

It is with extreme sorrow, and I know that I express the feeling not only of those who served in the Legislature with him, but I express the feeling of every man upon the floor of this House, who realizes that when a good man dies the State suffers a loss; that I extend the sympathy, I know, of this entire body to that bereaved family, at a time when bereavement is especially hard, in that a man is stricken down when he seems to be in the full enjoyment of health.

Now, Mr. Speaker, I move that these resolutions be adopted by a rising vote.

Mr. Speaker put the question whether the House would agree to said resolution, and it was unanimously adopted by a rising vote.

At 11.10 a. m. the House took a recess until 11.45 o'clock, a. m.

ELEVEN O'CLOCK AND FORTY-FIVE MINUTES, A. M.

The House again met.

The Senate sent for concurrence the Senate bill (No. 10) entitled "An act to provide the manner in which, and the time and place at which the qualified voters of the State absent from their respective election districts, in time of war, in the

actual military service of this State or of the United States, in the army or navy thereof, may vote; and for the return and canvass of their votes in the election districts in which they respectively reside, and making an appropriation therefor" (Rec. No. 5), which was read the first time.

On motion of Mr. Nixon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill, Int. No. 5, entitled "An act to provide the manner in which, and the time and place at which the qualified voters of the State absent from their respective election districts, in time of war, in the actual military service of this State, or of the United States, in the army or navy thereof, may vote; and for the return and canvass of their votes in the election districts in which they respectively reside, and making an appropriation therefor."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this sixteenth day of
[L. s.] July, in the year of our Lord one thousand eight hundred and ninety-eight.

FRANK S. BLACK.

By the Governor:

WILLIAM M. GRIFFITH,
Private Secretary.

On motion of Mr. Nixon, and by unanimous consent, said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 146
 { NOES 00 }

Those who voted in the affirmative, were

Ackert	Donnelly	Hoes	Mullany	Shoeneck
Addis	Dutton	Hoffman	Murphy	Simmons
Adler	Egan	Holbert	Murray	Sinsheimer
Allds	Eldridge	Hubbard	Myers J C	Sloan
Armstrong	Ellis	Hutton	Nixon	Smith E LaG
Axtell	Evarts	Ives	O'Connor	Stedman
Baker	Farrell	Johnson	Oliver	Stewart
Boland	Finn	Kavanaugh	Palmer	Stoneman
Bondy	Fish	Kelly	Paris	Streifler
Brennan E C	Fitzgerald	Kelsey	Patton	Sullivan
Brennen J F	Fordyce	Kullman	Perkins	Taylor
Brewster	Fritz	Laimbeer	Peterson	Ten Eyck
Burr	Fuller	Litchard	Phillips	Tiffany
Cain	Gale	Lowenthal	Pickett	Tompkins
Chanler	Gallagher	Mahar	Pierce	Trainor
Clark A L	Gibney	Maloney	Post	Tremper
Clark C J	Glaser	Marshall	Raplee	Tripp
Collins	Goodsell	Martin	Redington	Van Hoesen
Costello	Graney	Mason	Reisert	Van Rens'aer
Cottle	Green	Matteson	Roche	Vincent
Coughtry	Greenwood	McEwan	Russell	Vroman
Cowles	Griggs	McGuire	Sage	Wallace
Crabtree	Guider	McKeown	Sanford	Weekes
Cross	Hachemeis'r	McLaughlin	Schmid A F	Whipple
Cullen	Haight	Meyer G W	Schmid F	Wicke
Dale	Harburger	Miles	Schultz	Williams
Davis	Hatch	Miller	Schulum	Witter
DeGraw	Hays	Mitchell	Sears	Zimmerman
Delaney	Hill	Mohring	Seligberg	Speaker
Dillon				

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the following as a special committee to attend the funeral of the late Hon. Edwin O'Connor at Binghamton: Messrs. Fuller, Nixon, Vincent, Witter, Allds, Axtell, Johnson, Bondy, Donnelly, Finn, Roche, Brennen, J. F. and Palmer.

On motion of Mr. Nixon, at 12 o'clock, p. m., the House took a recess until 12.30 o'clock, p. m.

TWELVE O'CLOCK AND THIRTY MINUTES, P. M.

The House again met.

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That this Legislature adjourn without date on Saturday, July 16, 1898, at 1 o'clock, p. m.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Nixon, the House took a recess until 1 o'clock, p. m.

ONE O'CLOCK, P. M.

The House again met.

The Senate returned the Senate bill (No. 7, Assembly reprint No. 6), entitled "An act to create a metropolitan elections district; provide for the appointment of a State superintendent therein, and to prescribe his powers and duties" (Rec. No. 2), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

Mr. Speaker announced the following as officers of the Assembly to attend the opening of the next session, pursuant to chapter 682 of the Laws of 1892, as amended by chapter 24 of the Laws of 1893.

Messengers.—Anderson D. Lawrence, John G. Malone.

Doorkeepers.—Wm. H. Craig, Chas. R. Hotaling, A. M. Seymour.

Pages.—Eddie Matthews, D. L. Goewey, J. L. Loughren, Columbus P. Leonard, Wm. A. Ross, Chas. H. Foster.

Mr. Speaker announced the following as the officers of the House to remain after the session for a period of one week, pursuant to section 1 of chapter 477 of the Laws of 1895: Archie E.

Baxter, Henry L. Gates, John A. Cole, Sanford W. Smith and William H. Driscoll.

Mr. Nixon offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Governor, and inform him that the Assembly has finished its business and is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as said committee Messrs. Nixon and Donnelly.

Mr. Hill offered for the consideration of the House, a resolution in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Senate, and inform that body that the Assembly has completed its labors and is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Hill and Finn.

Mr. Nixon, from the committee appointed to wait upon the Governor, and inform him that the Assembly has finished its business and is ready to adjourn, reported that they had performed that duty.

Mr. Hill, from the committee appointed to wait upon the Senate and inform that body that the Assembly has completed its labors and is ready to adjourn, reported that they had performed that duty.

Messrs. C. Davis and Sullivan a committee on the part of the Senate appeared in the Assembly chamber and announced that the Senate had completed its labors and is ready to adjourn.

The Senate returned the concurrent resolution providing for final adjournment at 1 o'clock, p. m., July 16, 1898, with the following amendment "strike out the word "one" and insert the word "two-thirty" in lieu thereof.

Mr. Armstrong moved to concur in said amendment.

Mr. Speaker put the question whether the House would agree to said amendment, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the amendments of the Assembly thereto.

The Senate returned the concurrent resolution providing for final adjournment.

The hour of 2.30 o'clock having arrived, Mr. Speaker declared the Assembly adjourned *sine die*.

A. E. BAXTER,
Clerk.

INDEX TO ASSEMBLY JOURNAL.

Extraordinary Session, 1898.

A.

PAGE.

Adjutant-General's statement of expenditures.....	10
Appropriation for the expenses of the National Guard and Naval Militia (Int. No. 1).....	18
Appropriation for the expenses of the National Guard and Naval Militia (Rec. No. 1).....	41, 42, 45
Appropriation for the expenses of the special session of the Legislature (Rec. No. 3).....	58, 59
Assembly:	
adjourned sine die	73
committee to wait upon the Governor.....	4, 72
committee to wait upon the Senate.....	4, 72
conveying of	3
officers and employes of, during extraordinary session..	15
Poole, Major, appointed janitor in place of John Galla- horn, resigned	16

C.

Call of the House:

 moved by Mr. Nixon.....39, 48, 50, 56, 60

Code, Penal, to amend, relative to:

 section 41k, elections (Int. No. 4)..... 20

E.

PAGE.

Elections, relative to:

appointment and qualifications of election officers in cities (Rec. No. 4).....	58, 61, 62
soldiers' vote (Int. No. 2).....	20
soldiers' vote (Rec. No. 5).....	68

G.

Governor:

communication from, recommending subjects for consideration	47
communication from, relative to passage of Senate bill, Int. No. 6; appointment and qualifications of election officers in cities.....	63
communication from, relative to passage of Senate bill, Int. No. 3; appropriation for expenses of National Guard and Naval Militia.....	40
communication from, relative to passage of Senate bill, Int. No. 7; appropriation for the expenses of the special session of the Legislature.....	58
communication from, relative to passage of Senate bill, Int. No. 5; soldiers' vote.....	69
communication from, relative to passage of Senate bill, Int. No. 4; to create a metropolitan elections district..	55
communication from, relative to subjects which demand the attention of the Legislature.....	5
proclamation of, calling extraordinary session.....	3

L.

Leave of absence granted to:

Mr. Chanler	15
Mr. Wright	17

M.

PAGE.

Members absent without leave of the House:

Mr. Addis	40
Mr. Allds	49
Mr. Armstrong	40, 49
Mr. Bondy	40
Mr. Brennan, E. C.	49
Mr. Brennen, J. F.	40, 49
Mr. Burr	49, 61
Mr. Crabtree	49
Mr. Dale	40
Mr. Davis	49
Mr. DeGraw	40
Mr. Eldridge	40
Mr. Fish	40
Mr. Fritz	40, 49
Mr. Fuller	40
Mr. Gale	40
Mr. Gallagher	40, 61
Mr. Hoffman	40
Mr. Kelly	49
Mr. Laimbeer	40
Mr. Martin	40
Mr. Matteson	40
Mr. McKeown	40, 49, 61
Mr. McLaughlin	40
Mr. Meyer, G. W.	61
Mr. Mullany	49
Mr. Myers, J. C.	49, 61
Mr. Oliver	49

Members absent without leave of the House — Continued:

	PAGE.
Mr. Peterson	49
Mr. Simmons	61
Mr. Sinsheimer	49, 61
Mr. Sloan	61
Mr. Stedman	40
Mr. Stoneman	61
Mr. Ten Eyck	61
Mr. Tompkins	40
Mr. Williams	49
Mr. Zimmerman	61
Metropolitan elections district, to create (Int. No. 3).....	33
Metropolitan elections district, to create (Rec. No. 2).....	47, 49, 50 57, 71

P.

Point of order raised by:

Mr. Roche, on a minority report.....	46
decision of Speaker. (See Speaker, decisions of.)	

Prayer by Rev.:

Hallenbeck, Edwin Forrest.....	3, 17, 48, 59
Stewart, R. E.....	20

Privileges of the floor extended to:

Miller, Hon. Robert.....	59
Mitnacht, Hon. Jacob A.....	59
Rosendale, Hon. Simon W.....	19

R.

Resolutions, relative to:

adjournment without date.....	71, 72
Captain William Astor Chanler.....	15
committee to wait upon Governor.....	4, 72
committee to wait upon Senate.....	4, 72

Resolutions relative to — Continued:

PAGE.

death of Hon. Edmund L. Pitts.....	19
death of Hon. Edmund O'Connor.....	64
death of Hon. Solomon C. Weill.....	16
election of Perez M. Stewart.....	14
officers and employes of extraordinary session.....	15
President William McKinley and our commanders on land and sea.....	11
Rules, notice of suspension of.....	47, 58

S.

Secretary of State:

communication from, relative to election of Perez M. Stewart	12
---	----

Senate:

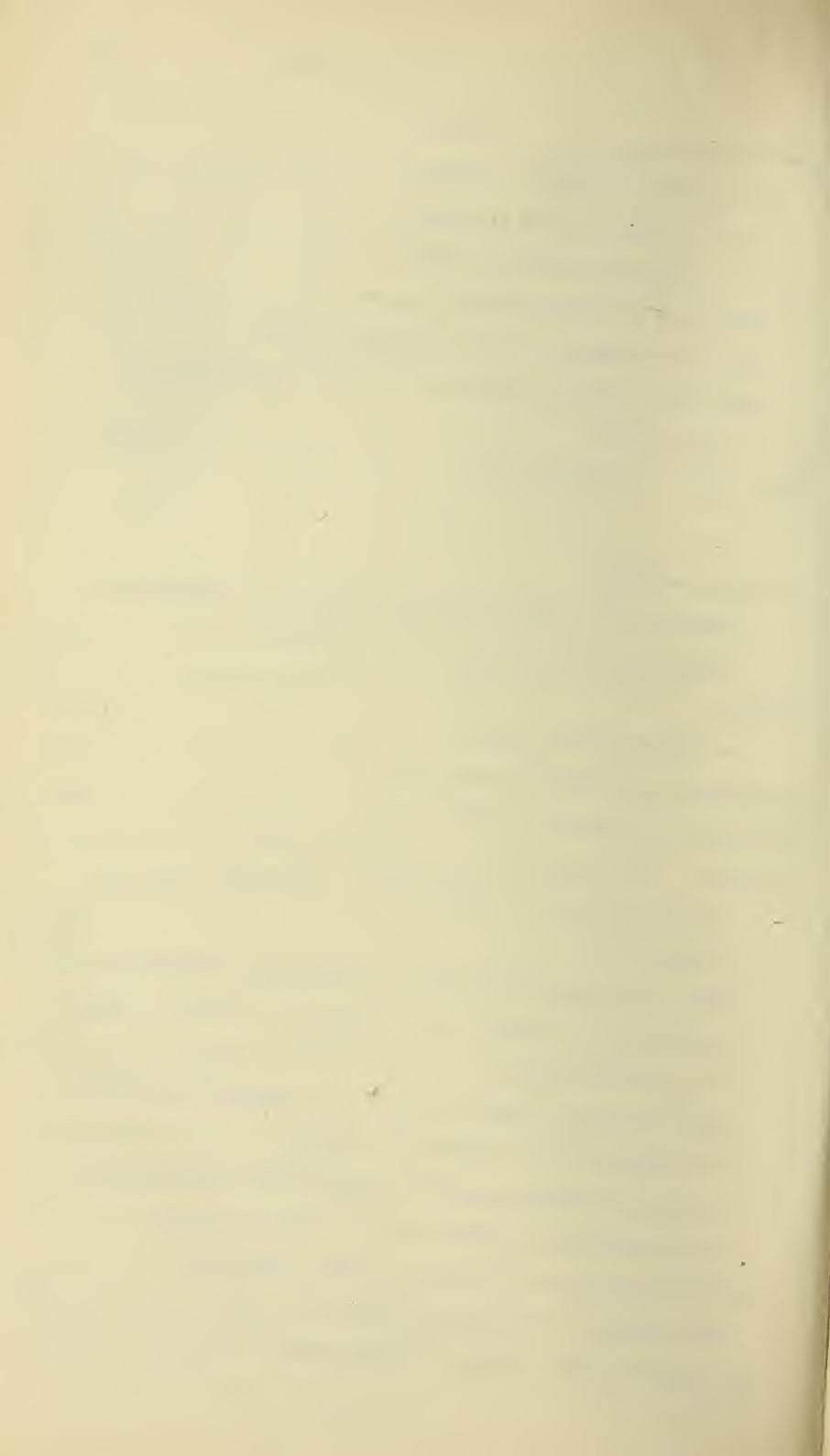
committee on the part of.....	5, 72
Soldiers' vote, relative to (Int. No. 2).....	20
Soldiers' vote, relative to (Rec. No. 5).....	68

Speaker:

appointment of a committee to wait upon the Gov- ernor	4, 72
appointment of a committee to wait upon the Senate..	5, 72
appointment of Major Poole as janitor, in place of John Gallahorn, resigned	16
appointment of special committee to attend the funeral of the late Hon. Edmund O'Connor.....	70
appointments to attend the opening of the next session..	71
appointments to remain after the close of session.....	71

Speaker, decision of, on point of order raised by:

Mr. Roche, on a minority report.....	46
Stewart, Perez M., relating to election of.....	12, 14









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